

CRIME AND SOCIETY: A SOCIOLOGICAL ANALYSIS OF THE BAWARIYA COMMUNITY

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Certified that the dissertation entitled **Crime and Punishment : A Sociological Analysis of the Bawariya Community** by **Viraj Verma** is in partial fulfilment of the requirements for the award of the degree of **Master of Philosophy** of this University. This dissertation has not been submitted for any other degree of this University, or any other University and is his own work.

We recommend that this dissertation may be placed before the examiners for evaluation.

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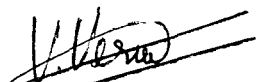
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PREFACE

During the course of my readings, I have noticed that most scholars are looking at (the so-called) criminal tribes in the context of the village community. Many criminal tribes have now become a part of the village according to Pauline V. Young.¹ A community according to Warren² is "the bald fact of people together in the same locality". Loomis and Beagle³ define a village community as "a social system encompassing a territorial area within which members carry on most of their day to day activities which are necessary in meeting common needs". Kramer⁴ is of the view that a community "encompass a total way of life. It is a complex of behaviour composed of all the institutions necessary to carry on a complete life". Therefore it is

¹ Pauline V. Young, *Scientific Social Survey and Research*, New Jersey : Prentice-Hall, Inc., 1966, p. 516. It must be remembered however, that a tribe according to Young, is a part of the village community.

² Ronald L Warren, *Studying Your Community*, New York : The Free Press, 1965, p. vi in Introduction.

³ Charles P. Loomis and J. Allen Beagle, *Rural Sociology ; The Strategy Change*, Englewood Cliffs, New Jersey : Prentice-Hall, Inc., 1957, p 22.

⁴ Judith R. Kramer, *The American Minority Community*, New York : Thomas Y, Crowell Company, 1934, p.42.

easy to assume that the village community "functions as a social unit, with boundaries which result from interaction between its economic base and its social base"⁵ and such, the village community is a suitable place to observe criminal behaviour of people. This is not, however, to say that the entire community is being studied. Infact, what is being studied is the criminal behaviour in the village community and the changes that have been taking place in the criminal behaviour, especially since 1952. That is to say, that , the village community has been taken as a context as far as it is helpful to explain the status of a criminal tribe and its behaviour in relation to other segments of the population in and outside the community.

Indian village studies however, have generally ignored criminal tribes Village studies concentrate on other aspects of political, caste, and family life. Studies of criminal tribe are rare and those that exist are anthropological or historical accounts, (Sociologists have paid little attention to this problem. It has been reported that the tribes have been changing since independence of the country and the government of India has been attempting to integrate them into the larger society.

Nevertheless, it would be appropriate to assume that the village community is not a "closed locality system". "Human living is not composed of mutually indebted small primitive groups. The primitive isolates" have become connected with the great society (other castes and

⁵. William H. Form and Delbert C. Miller, *Industry, Labour and Community*, New York : Harper and Brothers, 1960, p.534.

other villages of the region)...".⁶ The notion of the "self-sufficient village republic" is nothing but a myth.⁷ The units of a community also participate in a different set of relationships - a set of vertical ties which relate them to organisations outside the community. Under the new decentralised administration, each village is vertically linked with the surrounding region and state. Hence it would be safe to assume that a village is a part-society of the larger social system.

It would also be critical at this juncture to point out some important points about the literature that has been used in this study. Firstly, the various descriptive accounts which have been have been written over a long period of time starting somewhere around the 1880's (for example, Crooke and J.Wilson), all the way upto the 1970's. This fact needs two qualifying comments. One, that it has given rise to a differing terminology relating to the name of the concerned tribe. I have taken the liberty of using the forms or spellings of the name of the tribe interchangeably, without any reference to the period when it was written or the scholar. Two, earlier authors like Crooke and Wilson have often referred to the Bawariya tribe as a class. This nomenclature, in my opinion is not to be confused with the modern day (or Marxist) meaning of the term. When referring to them "as a class" it should be understood that they are being referred to as separate "people" or group of people, as opposed a "class" which occupied a

⁶. Robert Redfield, *Peasant Society and Culture*, Chicago : University of Chicago Press, p. 9, cited in Robert A. Hackenberg, "The Parameters of an Ethnic Group : A Method for Studying the Total Tribe", *American Anthropologist*, 1967, 69, 5, October, p.480.

⁷. M. N. Srinivas, "The Myth of Self-Sufficiency of the Indian Village," *Economic Weekly*, Vol. 12, 1960, pp. 1375 - 1378.

occupied a particular rung in the hierarchy of contemporary society and represented a particular collective interest in society on the basis of which they could be mobilised, ie; their class consciousness awakened.

One more aspect relating to the readings and literature used during this study is the fact that I have tried to analyze the literature not so much in the statistical sense but the descriptive sense. In this regard, the older accounts by many British and other foreign scholars, which are in great detail, have been found in my view, to be accurately indicative of criminal behaviour among the Bawariyas. The later accounts, which predominantly comprise of Government literature in the form of census reports and notes and queries tend to mainly contain statistics and hence be less descriptive, less analytical and less detailed.

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INTRODUCTION

Article 14 of the Constitution of the Republic of India, establishes the equality of all people before the law - all distinctions irrespective of caste, colour, race and religion, sex or origin have been abolished. The Government has provided special safeguards to the weaker sections of the population. While the Scheduled Castes and Tribes were granted special privileges the so called Criminal Tribes were denotified and set free.

According to Risely¹ a tribe is defined as "a collection of families or groups of families, bearing a common name which, as a rule does not denote any specific occupation, generally claiming common descent from mythical or historical ancestor . Occasionally it is derived from an animal, but in some parts of the country, it is held together only by the obligation of kinship. Members usually speak the same language and occupy (or profess to occupy) a definite tract of country".

¹ Sir Herbert Risely, *The People of India*, Thacker Sprink and Co., 1908, p 61

Drawing from Risely's definition of a tribe we can define a criminal tribe as such a tribal group of people who have traditionally committed crime for their livelihood and who accept such activities as their way of life. For non-criminal tribes, criminal activities are not an approved means of livelihood, even though members might occasionally commit criminal acts.

There is however a difference between a tribe and a caste. Srinivas defined caste as a "hereditary, endogamous, usually localized group having traditional association with occupation, and a particular position in the local hierarchy of castes. Relations between castes are governed, among other things, by the concepts of pollution and purity and generally maximum commensality occurs within the caste".²

The Government of India, under British Rule, passed an enactment in 1871 under which the tribes committing criminal activities were categorized as criminal tribes and organised tribal criminality as a fact was recognized. Whoever belonged to such tribes were recognised as criminals. This Act was in force until 1952. In 1952 however, the Indian Government repealed the Act.

² M. N. Srinivas. *Caste in Modern India and Other Essays*, New York : Asia Publishing House, 1902, p. 3.

India has been the home of various heterogeneous ethnic groups from a very remote past. Of all the foreign criminals, there is probably no class which surpasses the Bauriah³ in skill and pertinacity. Major Gunthorpe gives the Bauriah the cognomen of 'Badak' the states that the Vaghris of Gujrat also of the Pardhis of the Deccan, are offshoots of this tribe. Certainly the dialects of these tribes, though living far apart, have much resemblance, so also tribal sub-divisions, some superstitions and customs.

According to Nadeem Hasnain⁴ crime is not hereditary. He quotes A. V. Thakkar as saying that being "born to crime is at least an Indian reality. Criminality cannot go by groups. It is an individual phenomenon. But with a single stroke the British authorities, through the enactment of Criminal Tribes Act in 1871, branded some whole castes and tribes as criminals. "In fact, it may be said that a much larger percentage of these tribes were led into criminality by giving them the stigma of criminal tribes"

According to Nadeem Hasnain "Criminal Tribes" in India, regard crime as their hereditary calling and have developed an elaborate code of discipline and formalities for this. They adopted crime as their trade and

³ The term Bauriah, Baori, Bowri, and Bawariya are used interchangeably as they have been spelt differently by different scholars at different points of time.

⁴ Nadeem Hasnain - *Tribal India Today*

engaged in anti-social activities. "Criminal activities are largely emphasised by the cultural pattern of the tribe concerned. Certain criminal tribes have got their sanction for criminal activities in their religious beliefs and practices. The sanction is often derived from their tribal gods who are believed to revel in crime." (D.N.Majumdar, 1949).

During the British rule, these tribes were made to bear the brand of criminality by the accident of their birth and were subjected to restraints on their movements so harsh that even an accidental failure to report to their respective police stations at unearthly hours was treated as an offence, justifying the imposition of a savage sentence of imprisonment. The Shilu Ao Report (1969, Nagaland) remarks that their emancipation came with the attainment of independence but for no ostensible reason they have been relegated to a separate category. While with a view to efface the memories of a criminal past, the name "Ex-Criminal Tribe" , given to them after the repeal of the Criminal Tribe Act, 1924, was first changed to "Denotified Tribes" and later to "Denotified Communities", the fact remains that the stamp of the past will continue to haunt them unless the efforts are made to merge them with the rest of the society. Though a large segment of these people has given up the life of crime, a considerable section being hounded by the police, still live on criminal activities.

Like many other castes and tribes, the origin of the so-called criminal tribes is also shrouded in mystery and very little is known about their ethnic composition. Majumdar opines that these wandering and vagrant tribes are not a homogenous lot ethnically they are mixed groups. They possess physical traits characteristic of the important racial stocks in varied proportions. B.S. Bhargava (1949) is of the important view that the criminal tribes have never cared to preserve their separate identity or purity like other more zealous castes and tribes of India. Their numbers have been swelled by recruits from all classes, consisting generally of adventurers, refugees and outcastes, who are always welcome into their fold.

According to one view they have descended from the Gypsies. Gypsy tribes are found all over the world and are believed to have emanated from a common origin. But there is little evidence to show that the criminal tribes of India belong to the world. Again, it is held by some that the criminal tribes owe their origin to the aborigines of the old, who had been displaced from time to time by the incursions of the inhabitants of Central Asia. According to this view, those aborigines who could not find suitable habitations had to roam from place to place. In due course of time wandering became a way of life with them and they began to feel quite at home in the nomadic mode of life. Some of them found it convenient to supplement their honest earnings by petty thefts and pilferings. As

Bhargava tells us, most of the Hindu criminal tribes of upper India trace their origin from Rana Pratap of Chittorgarh in Rajputana. By a legend they generally date their social degradation from the time of the siege of Chittorgarh by Allauddin Khilji in 1308 AD. They ascribe their nomadism chiefly to their efforts to save themselves and their religion from the inroad of Islam.

The existing evidence before us goes to prove that the nomadic tribes have always been recruiting their members from practically all sections of society, and naturally, therefore, the social origins of different criminal tribes differ in various particulars. Definite historical information about their past are meagre or unobtainable. However, Bhargava has collected legends which throw some light on their origin and antecedents.

Some scholars have derived the word Bawaria from the Hindi word Baola or Baora meaning crazy. It is said that after the capture of Chittorgarh a number of Rajputs ran away into the jungle and began to live a nomadic life. One of them fell in love with a Rajput maid and married her. But he could not give up his nomadic life although the parents of his wife strongly disapproved of it. They began to call him Baola meaning mad or crazy and later on his descendants came to be known as Bawaria. In the time of the Marathas, they took to dacoity on a large scale. A note on the

tribe Bhavri published by the Madras Police, derives the word Bhavri from Bavdi or Baoli meaning a pond. It is said that these people originally used to settle on the banks of a large Baoli meaning a pond. It is said that these people originally used to settle on the banks of a large Baoli and hence the name Bawaria.

A Good number of Bhatu have recently come under the influence of Christianity and Islam. Some authorities are of the opinion that the name of the tribe has been derived from the Sanskrit word Bhanti, meaning varieties. Nesfield is of the view that the word Bhatu is derived from the Hindi word Bahutor, meaning armbreakers, referring to their favourite device used against their opponents. The Muslim, Bhatu differ in their social life from other Bhatu only in this respect that they bury their dead instead of cremating them, and contrary to the Islamic faith, they do not hesitate to eat pork.

Kanjar is a name usually applied to a number of nomadic tribes of Gypsy origin. Crooke derives it from the Sanskrit word Kannanchara - a wanderer of the woods. The Kanjar residing in the Panjab and Rajputana profess that they originally served the Jats and the Rajputs as bards. By and by their profession became less remunerative and perforce they had to supplement their income other sources. Similarly other criminal tribes also

carry some legends about origin their but it is very difficult to verify them due to paucity of historical material and conflicting and some time contradictory claims and counter claims

THEORIES OF CRIME AND THEIR RELATION TO CRIMINAL TRIBES

John Gillin⁵ has classified criminal tribes into two groups - those that wander about like gypsies and those settled in villages. He stated that initially, the gypsy sort was the more difficult to handle. However, after the widespread expansion of railways, even the men among the settled tribes are frequently found to be leaders or members of gangs which commit burglaries or robberies of violence. A criminal tribe in Rajasthan, for example, could come up into the Punjab, commit a dozen burglaries and be back again in Rajasthan within the week, leaving no trace of their identities.⁶

Criminal tribes were shown as a separate category for the first time

⁵. John Lewis Gillin, *Taming the Criminal*, New York : The Macmillan Co., 1931, p. 106.

⁶. Ibid.

in the 1911 census. Most of these tribes followed Hindu belief while keeping the tribal following intact. This probably led the Indian Anthropologist, Ghurye, to conclude that they were Hindus. He called them "backward Hindus".⁷ Some, however were also Muslims.⁸ While some were listed as Scheduled Castes (ex-untouchables),⁹ in some States they were included under Scheduled Tribes (in Andhra Pradesh Yerukulas, Yanadis and Sugalis were included in the Scheduled Tribes list). Interestingly enough, a few of these criminal tribes claim descent from higher castes. However it has being pointed out by scholars like Ghurye and Lambroso that whatever their claims, and from whomever they descended, they seemed to occupy teh lower if not the lowest rungs of the social status hierarchy.

The positive theorists like Lombroso, Ferri, and Garoffollo attributed criminality to inheritance. Lombroso, an Italian doctor, affirmed in 1876 in his book Luorno Delinquent (The Criminal Man) the atavistic origin of the born animal. Lombroso suggested a close relationship between crime, epilepsy, insanity and delinquency as a whole - in other words, a type of

⁷. G. S. Ghurye. *The Aborigines : So Called and Their Future*, Bombay : popular Book Depot, 1969, p. 21.

⁸. Mamoria, *Social Problems and Social Disorganosation*, op. cit., p. 232.

⁹. P.D. Biswas, *The Ex-Criminal Tribes of Delhi State*, Delhi : University of Delhi, 1960.

man more primitive and savage than his civilized counterpart.¹⁰ However, the phenomenon of born criminality is not peculiar to Italians, but also as Lombroso said, prevalent in other cultures. One such example mentioned by him was the criminal tribes of India.¹¹

More specifically, "the born criminal" according to him shows numerous specific characteristics that are almost atavistic.¹² Lombroso further argued, "the atavism of the criminal when he lacks absolutely every trace of shame and pity, may go back far beyond the savage, even to the brutes themselves".¹³ Also according to Lombroso, epileptics have displayed much the same atavistic characteristics. Likewise, although on a less pervasive scale, and in a less emphatic manner, he singled out the specific characteristics of the biology of criminaloid¹⁴, whom he regarded as quite distinct from the born criminal, though more in degree than in kind. In the criminally insane, he saw only an exaggeration of the born

¹⁰. George B. Vold, *Theoretical Criminology*, New York : Oxford University, 1958, p. 28.

¹¹. Marvin E. Wolfgang, "Cesare Lombroso", in Herman Mannheim, *Pioneers in Criminology*, Chicago : Quadrangle Books, Inc., 1960, p. 209.

¹². Ibid.

¹³. Enrico Ferri, *The Positive School of Criminology : A Book of Readings*, p. 141. Also Enrico Ferri, trans. Joseph I Kelly and John Lisle, *Criminal Sociology*, Boston : Little Brown and Co., 1917.

¹⁴. Ibid.

criminals by passion were accepted as a species apart, although they have some similarities with epileptics.¹⁵ The only group of criminals which was free from all atavistic and epileptic tendencies was the group of occasional criminals.¹⁶ Those were drawn into crime, but did not seek it, or had committed only trivial offenses. But in the case of this last category, Lombroso quotes Garoffolo approvingly and refuses to call them criminals in the proper sense of the term.

In essence, Lombroso's theory assigned crucial role to the organic factor emphasizing that the obvious causes are only the last determining, "the great strength of congenital impulsiveness" being the main causal factor in the occurrence of crime. In retrospect his contribution would appear to lie in his denial of "the spiritualistic conception of free will", which implied that every human being's internal and external conditions are necessarily predetermined. It is only Lombroso who deliberately spoke against the theory of "free will". But again he failed to see that the criminal and the non-criminal look alike. And it has been proved beyond a doubt that criminality is not inborn, but effected by environmental conditions.¹⁷

¹⁵. Ibid.

¹⁶. Ibid.

¹⁷. Margaret S. Wilson Vine, "Gabriel Tarde" in Hermann Mannheim (ed.) *Pioneers in Criminology*, Chicago : Quadrangle Books, Inc., 1960, pp.228 - 240.

There were no anthropometric measurements taken in India on a large scale of the criminal tribes to formulate any valid hypothesis regarding their racial homogeneity. Mazumdar conducted a blood test of some castes in India. He came to the conclusion that the blood groups of all the castes under his study were almost similar. This is evident from the following passage of Kapadia:

Mazumdar observes that there is a progressive broadening of the head from the eastern to the western districts of U.P among the vagrant and criminal sections of the tribal population showing perhaps assimilation of a brachy-cephalic element. But the few measurements that he has given viz., the Habura 73-71, the Bhatu 74-63 and the Dom 73- 79 show that these groups are dolichocephals and closely resemble their counterparts-the parriyam 72 (Risely), the Chenchu 73-89 (India census 19031) in South India. But they differ so much from each in their nasal indices.¹⁸

Gopalarao agreed that the tribal criminality could be attributed to environmental factors. He asserted the importance of heredity or environment in determining the source of criminal conduct is no longer a controversial issue, but it has considerable bearing on the criminal

¹⁸. K. M. Kapadia, "The Criminal Tribes of India", Sociological Bulletin, 1.II (March, 1952), 45. p. 110.

behaviour of some homogeneous groups in India, where large sections of ex-criminal tribes are addicted to crime generation after generation. In common parlance, they are called the hereditary criminals of India but we have no convincing proof that criminality is passed from father to son biologically.¹⁹

Gopalarao, however, attributed much to the environmental factors as causation for the criminality among the tribes, whereas Kapadia attributed much to the economic factors. Kapadia stressed the need for economic rehabilitation.²⁰ Although Gopalarao recognized the importance of surroundings in the Tribal Community, he did not fully explain what environmental factors were responsible in the tribal criminality.

It has been long standing for social scientists to relate criminality to poor economic conditions. Karl Marx was primus inter pares.²¹ William Bonger, a Dutch criminologist followed suit. The epitome of their thesis was that "social arrangements generally are profoundly affected by the existing system of economics, and the problems and social adjustments of society, such as crime, are likewise the product of and affected by the

¹⁹. Gopalarao, *Facts of Crime in India*, New Delhi : Allied Publishers, 1962, p. 24.

²⁰. Kapadia, *op. cit.*, p. 103.

²¹. Vold, *op. cit.*, p. 160.

existing economic arrangements".²² They implied that a reduction of poverty would result in a reduction of crime.

Anthropologists like Biswas²³, criminologists like Gilin²⁴, historians such as Bruce and others, attributed tribal criminality poor economic conditions. Biswas studied criminal colonies in Delhi State and came to the conclusion that their expenditures for living were exceeding their income, and as a result, they were forced to commit crime in order to compensate their deficit budgets. Gillin described the deplorable conditions of the criminal tribes as a cause for criminal behaviour. In his words:

It is easy to see that the bulk of the population lives on verge of starvation most of the time. Let a famine come along the millions die unless they are assisted by government or relief organizations. Under such conditions, which have extended over decades, there is small wonder if whole families and tribes have resorted to criminal methods to get a living.²⁵

²². Ibid., p. 162.

²³. Biswas, op. cit., p. 106.

²⁴. Gillin, op. cit., p. 106.

²⁵. Gillin, op. cit., p. 106.

The following description further illustrates this situation:

When the first batches were brought into the settlements, most of them were clad in rags. The women not had hardly enough clothing to cover their shame and the children up to twelve years of age or so were stark naked.²⁶

Biswas, referring to records in the British museums and reached the same conclusion. But these theories do not explain why other caste groups who had been living below the level of hand-to-mouth existence were not also criminals.

Sociologists like Merton²⁷, Cohen²⁸ and others explained deviance from the Durkheimian concept of anomie. American society, according to Merton, emphasizes certain "dominant-success goals" which are culturally prescribed, but the (institutional) means for achieving these goals are not always available. As a result, certain individuals deviate from the normal means in order to achieve the cultural goals. There is "a more frequent

²⁶. Ibid., p. 107.

²⁷. Robert K. Merton, *Social Theory and Social Structure*, New York : The Free Press, 1967, p. pp. 131 -160.

²⁸. Albert K. Cohen, *Delinquent Boys : A Culture of the Gang*, New York : The Free Press of Glencoe, Illinois, 1955.

disjunction between goals and opportunity among the lower class strata than among the upper class strata". It is the restriction of the use of approved means for a considerable part of that population that is crucial to the discussion of adaptation which follows:

It is only when a system of cultural values extols, virtually above all else certain common success goals for the population at large while the social structures rigorously restricts or completely closes access to approved modes of reaching these goals for a considerable part of the same population, that deviant behaviour ensures on a large scale.²⁹

He mentioned that in America, the lower classes were in a relatively more disadvantaged position than were the upper classes. Even though this is a purely structural interpretation, the impact of economic factors was also recognized when it was said that the lower classes tend to be more deviant.

Albert Cohen adds a new dimension. He suggests that deviance is almost entirely a lower class phenomenon. According to Cohen, there is so much status frustration among the lower classes because of their inability to achieve middle class goals that they react to middle class values by

²⁹. Merton, op. cit., p. 133.

forming a culture of their own in order to provide satisfactory goals.³⁰ Patrick applied Merton's theory to criminal tribes of India, particularly to Mand Garudi. He observes that criminality of the Mang Garudi was a function of the Indian Social Structure. "They (Criminal Tribes) experienced certain conventional aspirations of Indian Society (desire for status, respect and subsistence) but were lacking in socially structured means by which they could realize those aspirations. The situation in which they were engulfed was one of normlessness or anomie".³¹

Cultural conflict theorists like the Cavans and Johnson³² hold that criminality of the tribes was due to the conflict between two cultures, viz., tribal culture and larger societal values. Johnson states: "tribal culture prescribes certain types of assault on persons outside the tribe, whereas the legal codes of the Indian and Provincial governments forbid those assaults. The tribesmen are caught up in the conflict between two codes".³³ These theories, however, do not fully explain the conflict between the two cultures since there is basically one cultural background,

³⁰. Ibid., Cohen, op. cit., p. 132.

³¹. Clarence H. Patrick, "The Criminal Tribes of India, with Special Emphasis on the Mang Garudi : A Preliminary Report". *Man in India*, Vol. 48, No. 3, July - September, 1968, p. 247.

³². Elmer H. Johnson, *Crime, Correction and Society*, Homewood, Illinois : The Dorsey Press, 1964, p. 157.

³³. Ibid., p. 157.

i.e., dominant caste culture, for all the castes and tribal groups, which influence most of the Indian lives. Sachindranadha³⁴ feels that "tribes have tended to assume characteristics of caste". This means, the criminal tribes are influenced by the caste system and as a result they believe in transmission, Karma and Dharma theories,³⁵ which are blood and soul of the Hindu caste philosophy. But it is hard to believe that the criminal tribe could ever entertain higher aspirations.

Criminal tribes are bound by their own ethical codes. Many of them were physically well-built and mentally sound. They had their own code of conduct and secret dialect to communicate with each other at the time of their work. How they were morally bound by the code of conduct is best explained by the passage given by Haikerwal:

They were physically hardy and mentally sound. They seem to have sound standards which they observe scrupulously. The Bampton steals neither during the day time nor from the body of a person asleep. The Tagoos of Karnal, the Somarias and the Oudiahs, on the other hand, steal in the day time, never in the night. The Bampton and the Somarias never steal in their own villages. They Burias usually rob the well-to-do as they

³⁴. Sachindranadha, *Profiles of the Tribal Culture in Bihar*, Calcutta : Firma N. L. Mukhopadhyay, 1965, p. 38.

³⁵. Ibid.



deprive the poor of their hard-earned income. Minas of Shahjahanpur in the Punjab give plenty to all those persons who came to their for alms. The charity of the Minas is Saddabarat, it is perpetual, and invites all comers to partake of it.³⁶

Whatever might be the origin of criminal tribes in other respects than crime, they remain as normal and organized as any other group. However, in the commission of crimes each tribe has its own rituals, omens, secret dialects, taboos, methods and peculiarities. For example:

The Bamptas are railway thieves par excellence. The Minas of the Punjab are the most skillful burglars and dacoits known. The Sansis of Punjab, U.P. and Rajasthan are more prone to dacoits which is preceded by a heavy pelting of stones. the Kallan considers robbery a duty and a right sanctioned by descent. The Jandnas are swindlers who pretend to turn metals into gold. The Gopalas engage themselves only in cattle stealing. The Mang Garudis are cattle prisoners and cattle lifters. The Kolis commonly steal only bullocks and buffaloes; the Mang Garudis goats and sheep. The chaopperbands are known for pilfering and petty larceny, though at times they take to counterfeiting coins. The Lamnnis Kidnap

³⁶. P. C. Haikerwal, Economic and Social Aspects of Crime in India, London : George Allen and Unwin, Ltd. 1936.

women and children. The Baurias engage only in house burglary and cattle stealing at night. They are expert at wrenching jewellery off the persons of sleeping women. The radius of their burglary is beyond 50 miles of their village.³⁷

In 1957, Gresham A. Sykes and David Matza³⁸ modified Cohen's thesis. They attacked the idea that the delinquent comes to conceive of his delinquency as being "the right" and that, accordingly, he (delinquent) suffers no guilt or shame because of his anti-social behaviour. Sykes and Matza believed that many delinquents do experience feelings of guilt. They cite the fact that many delinquents confess to feeling guilty of criminal acts.³⁹ According to them, "The individual can avoid more culpability for his criminal action-and thus avoid the negative sanctions of society-if he can prove that the criminal intent was lacking".⁴⁰ According to Sykes and Matza "much of delinquency is based on what is essentially an unrecognized extension of defenses to crimes, in the form of justifications for deviance that are seen as valid by the delinquent but not by the legal

³⁷. K. M. Kapadia, "The Criminal Tribes of India" in Sociological Bulletin, Vol. 1, No. 2, 1952, pp. 111 - 112.

³⁸. Gresham A. Sykes and David Matza, "Techniques of Neutralization : A Theory of Delinquency", ASR, Vol.22, pp. 662 - 670.

³⁹. Ibid., p. 664.

⁴⁰. Ibid.

system or society at large.⁴¹

These justifications or rationalizations, are viewed as deviant behaviour and as protecting the individual from self-blame and the blame of others after the act⁴² and make the deviant behaviour possible.⁴³ So the individual rationalizes his behaviour by using deviant methods to commit crime.

For Cohen, the delinquent does not feel guilt whereas for Matza and Sykes, he does. Cohen suggested that delinquent subculture was possible only in a lower class, but Sykes and Matza do not mention class.

It is Walter Miller⁴⁴ who went a little further than Cohen in explaining a delinquent sub-culture. Milter's thesis may be reduced to three main propositions: (1) the lower class is characterized by distinct values, (2) these vary markedly from the middle class values which undergird the legal code, and (3) the result is that conformity with certain lower class values may automatically result in violation of the law. As Miller puts it, "engaging

⁴¹. Ibid.

⁴². Ibid., p. 667.

⁴³. Ibid.

⁴⁴. W. B. Miller, "Lower Class Culture as a Generating Milieu of Gang Delinquency". *Journal of Social Issues*, Vol. 14, No. 3, (1958), p. 9.

in certain cultural practices which comprise essential elements of the total life pattern of lower class culture automatically violates certain legal norms".⁴⁵ In other words, the lower class way of life as such is intrinsically law-violating.⁴⁶ This idea is somewhat pertinent. A criminal tribe as a hereditary social group possess criminal behaviour and this behaviour pattern is transmitted from one generation to the other. However, in Miller's theory an answer to an important question seems lacking. that is: why in the same delinquency areas some children do not commit crimes, and in non-delinquent areas some boys emerge as delinquents. Studies⁴⁷ conducted by Reckless, Dinitz and Murray found an answer. These studies have suggested differences in self-conception as the reason that certain children residing in a delinquency area do not become delinquent. In another study by Reckless, Dinitz and Kay, of 125 "good boys" and 108 "potential delinquents" in this area, the authors concluded: "conception of self and others is the differential response component that helps to explain why some succumb and others do not, why some gravitate toward socially unacceptable patterns of behaviour and

⁴⁵. Ibid.

⁴⁶. See Miller's remarks in W. C. Kvaraceves and W. B. Miller, *Delinquency Behaviour : Culture and the Individual* (Washington, D. C. : National Education Association), 1959, pp. 68 - 69.

⁴⁷. W. Reckless, S. Dinitz and E. Murray, "The Good Boy in a High Delinquency Area". *Journal of Criminal Law, Criminology and Police Science*, 48 : 18 - 25 (1957).

others were away from them".⁴⁸

Miller's contention was that a particular class '(i.e., lower class) generated criminal behaviour whereas Reckless explained why some individuals committed delinquency and why some did not in the same cultural group. These two theories are directly relevant to us in two ways: (1) a particular social group transmits criminal behaviour from one generation to another and this is particularly true in criminal tribes, and (2) in the same area, in the same caste group, some may become criminals and some do not, and it is possible that all members in a criminal tribe may not be involved in the criminal activities.

One important theory which seems directly applicable to criminal tribes is a theory propounded by Sutherland called "differential, association".⁴⁹ According to this theory, criminal behaviour is learned like other kinds of behaviour- learned in association with others, according to the frequency, intensity, priority and duration of contact. While he emphasized that crime was a social phenomenon he negatively implied that criminality is not a biological, psychological or climatic phenomenon. His theory emphasized the contacts with delinquency of criminal behaviour

⁴⁸. Ibid.

⁴⁹. Edwin H. Sutherland, *Principles of Criminology*, Philadelphia : J. B. Lippincott Co., 1947, pp. 6 - 7.

patterns as the necessary condition for which causes criminality. The ratio between definitions favorable to law and those unfavourable to law violation determines whether or not a person becomes criminal. A person becomes delinquent because of an excess of definitions favourable to violation of law over definitions unfavourable to violation of law.

Various criticisms have been advanced against Sutherland's theory of differential association. these include the following:

1. It does not explain all criminal behaviour, but only the "systemic criminal". What of those crimes which are non-systematic, such as compulsive crimes and crimes committed in the heat of passion?
2. Is the learning process as simple as Sutherland would led us to believe? Does one learn to become a criminal merely because of his acquaintance of definitions favourable to violation of law? How precisely are these definitions acquired? What is learning?
3. Lastly, Sutherland is dealing with human behaviour in general. How can one specify a precise explanation of particular type of human behaviour ?

Cressey attempted to apply the differential association theory to a

certain class of crimes referred to as compulsive crimes⁵⁰. He concludes that "the differential association theory is a theory of social learning specifically applied to criminal behavior and it contends that in the terminology and the identifications and devotees of criminals are acquired through direct, personal contacts with persons sharing those identifications and motives... this theory (differential association) may have many defects, but it describes the processes by which one becomes a "compulsive" criminal as well as it describes the processes by which one becomes a "non-compulsive" criminal."⁵¹

Thus, Cressey has attempted to extend the differential association theory to compulsive crimes or those crimes which are not the result of differential association but rather of what Glaser refers to as "differential identification".⁵²

In an Indian context, the physical contacts, at least in traditional society, from one caste to another were almost lacking. But within the same social group, for instance, a criminal tribe or a caste group contacts

⁵⁰. D. R. Cressey, "The Differential Association Theory and Compulsive Crimes", *Journal of Criminal Law, Criminology and Police Science*, Vol. 45, June 1954.

⁵¹. *Ibid.*

⁵². D. Glaser, "Criminality Theories and Behavioural Images", *American Journal of Sociology*, Vol. I. LXI, March 1956, p. 440.

were possible, and hence Sutherland's theory of differential association could be relevant. The families of criminal tribes are the training grounds of their children in the profession of crime. One of the functions of the family was to begin to teach the tricks of the trade (crime) the day a baby was born. Haikerwal states that "the first step taken in this direction was to fasten a piece of string to a silver rupee and press it into the child's little throat so that it would form a socket which was gradually deepened until in time it became large enough to enable to stow away the coins and jewels he had stolen. This pocket being inside his throat was not likely to be detected. A thief became to expert as he grew older that he would be able to eat, talk and drink without betraying the fact that he had the valuables secreted in his throat. Little by little, as the child grew up, he was initiated into mysteries of the crime in which his tribe specialized."⁵³

The tribe presumably employed a string fastened with a silver rupee and pressed into the child's throat as a device to implement value developed in their society. They specialized in the crime of stealing coins. A Bewar would train his youngsters in shoplifting or in deftly removing things from bathing ghats. The pathan mother is said to pray to God the Almighty to make her son a successful robber.⁵⁴ All of this suggests that

⁵³. B. S. Haikerawl, *Economic and Social Aspects of Crime in India*, London : George Allen and Unwin, Ltd., 1936, p. 161.

⁵⁴. Haikerwal, op. cit., p. 149.

crime for such people was a normal and not a deviant way of life.

For Merton, deviance is the result of blocking of the structural means to achieve the cultural goals; whereas for Haikerwal, the criminal behaviour is the result of cultural socialization in the family and tribe. Merton attributed the deviance of the lower classes to improper socialization whereas Haikerwal believes that tribes socialize along the lines of criminal behaviour.

Bruce describes in detail the story of the secret thug societies of India and how, 50 years ago, a young Bengali Officer, led the twelve-year campaign that broke them up and suppressed them. Essentially, his thesis said that the Thug assumes thuggee culture in the garb of religion. Thugs had their own gods and goddesses. Sociologically speaking here religion is playing the role of pattern maintenance.

Controlled only by the Hindu goddess Kali, the brutality of the Thugs was unique. Merciless and indiscriminate assassination was their aim, and for centuries they murdered thousands of people a year. No other secret society has ever menaced the ties of trust that bind human society together and enable it to function as did the Thugs in their day. Yet the British in India denied their existence until the young officer, Sleeman forced the

truth upon the government.

The thugs engaged in brutality in the name of God. Bruce states that in India the difference between the army of a prince and a gang of robbers was, in the general estimation of the people, only in degree - north were driving an imperial trade. He also states that both took the auspices and set out their expedition after the festival of Dasara. When the autumn crops were ripening and both thought the deity propitiated when they found the omens favourable - one attacked palaces and capitals, and the other villages and merchants' store rooms.

It is found from the literature that there were tribal Panchayats⁵⁵ which literally means council of five members who belong to the tribe. These Panchayats not only controlled and regulated the social life of the members of the tribe, but also organized criminal gangs; provided them with all possible facilities, and assisted the members of the tribe in committing anti-social acts.

As Kapadia says the efficiency of the criminal organization is maintained by the scheme of social security provided by the Panchayat.

⁵⁵. Kapadia, "The Criminal tribes of India", Sociological Bulletin, L. II (March 1952), 24.

The panchayat keeps a record of the members of the tribe, organizes the crime, deputizes active members of particular mission to rob, steal or commit dacoity. It disposes of the booty and distributes the proceeds among the members according to their respective shares. When any member is arrested during the operation of a crime, the panchayat arranges and provides for legal defence. The panchayat organization is held intact by its strict discipline and punishment to the violators. It also imposes individual obligations to contribute to the panchayat fund to meet its expenses for litigation where its funds are found to be insufficient. This way, it not only acts as incentive, but also trains men and women in crime and criminality. When a society accepts a particular culture as its legitimate way of life the agencies of control are used to maintain the same cultural pattern. This way the legal norms and religious norms of a system support each other.

The village officials play a role in perpetuating criminality among tribes. The report of the Criminal Tribes Act Enquiry Committee stated that the village officials also helped the tribes in their criminal activities upon the promise of a share in the booty.⁵⁶ If a man is regular criminal, he manages to share with the patel (village head) who keeps the register

⁵⁶. C. B. Mamoria, *Social Problems and Social Disorganisation in India*, Bombay : Kitab Mahal, 1957.

un-writer for a few days. If the man is arrested somewhere else, he marks him absent. On returning, if he shares the spoils with the patel, he is marked absent. Kapadia observes that the criminal tribes has been instigated to commit crimes by patels for purposes of private vengeance.⁵⁷ Gunthor reported that "officials were helpmates in disposing of property stolen by tribesmen".⁵⁸ Ravi Sankar, a philanthropist, who spent a considerable amount of money and time to reform some these people also records a case in which a policeman received thirty rupées from a thief as his share, and also compelled the thief to dispose of the stolen goods so as to fetch the money for the police.⁵⁹ Sometimes an innocent member of criminal tribe is blamed for a crime committed by a person who is in the good graces of the police.⁶⁰

Since the criminal tribes exists within a society having a caste structure they appear to be in the process of forming another set of castes of their own. Ninety per cent of the Indian population are Hindus; and

⁵⁷. Kapadia, op. cit., p. 103.

⁵⁸. Gunthorpe, as cited in Kapadia, op. cit., p. 103.

⁵⁹. Ibid., p. 103.

⁶⁰. E. J. Gunthorpe, *Note on Criminal Tribes*, Bombay : Times Stream Press, 1881, pp. 30,52,60.

Weber⁶¹ and Srinivas⁶² held that there is no Hindu without a caste. As Schermerhorn points out, when other groups, i.e., tribes, Christians, etc., mix with caste groups, "caste becomes a model for stabilizing human relationships".⁶³ This he attributes to the "long history of the caste system" which has accustomed people to the idea that the proper way to deal with the social difference is to embody them in particular customs and roles for each variation of human groupings.⁶⁴

Sachindrananda,⁶⁵ and Gunthorpe⁶⁶ and others demonstrated that the tribes acquired the characteristics of a caste, although they kept the tribal culture intact. Tribes have not only acquired the general caste features, but they also have Jatis (sub-caste) of their own. Agreeing with Doshi, Schermerhorn says that

⁶¹. Max Weber, *The Religion of India*, Glencoe, Illinois : Free Press, 1958, p. 629. as cited in Kapadia, op. cit.

⁶². M. N. Srinivas, *Caste in Modern India and Other Essays*, New York : Asia Publishing House, 1962, p. 3.

⁶³. Richard Schermerhorn, " Minorities and National Integration". *Journal of Social Research*, XII : I, 1970, p. 32.

⁶⁴. Ibid. p. 32.

⁶⁵. Sachindrananda, *Profiles of Tribal Culture in Bihar*, Calcutta : firma N. L. Mukhopadhyay, 1965, p. 38.

⁶⁶. Gunthorpe, op. cit., pp. 11 - 12.

Bhils (criminal tribes) are indistinguishable from the others; this means, among other things, that they now have Jatis of their own, and if the list of sub-castes is any indication, the results bear this out. Thus we have the Bhil Gerasia, Dholi Bhil.....and the like.⁶⁷ Tribals acquire not only caste features but also sub-caste characteristics. For example, "Donga Boya" was listed as a Criminal Tribe in the Report of the Welfare of the Scheduled Castes, Scheduled Tribes, ex-Criminal Tribes and Backward Classes of Andhra, 1956. The word "donga" in Telugu means thief and "Boya" stands for a tribe.

⁶⁷. Schermerhorn, op. cit., p. 34.

CRIMINAL TRIBES AND THE LAW: AN HISTORICAL PERSPECTIVE

As far as the early history of Criminal Tribes is concerned we have the views of Risely⁶⁸, Shoobert⁶⁹, Ghurye⁷⁰ and other who believe that the tribes were the original inhabitants of the country. Elwin Verrier⁷¹ called the Baigas, one of the criminal tribes, the original owners of the region in which they lived. We are at this point however concerned with finding out about the criminal acts in a historical context so far as the law

⁶⁸. Sir Herbert Risely, *The People of India*, Calcutta : Thacker, Spinker and Company, 1908.

⁶⁹. *Census of India*, 1931, p. 312. cited in Ghurye, *The Scheduled Tribes*, Bombay : Popular Book Depot, 1949, p. 21.

⁷⁰. G. S. Ghurye, *The Aborigines - So Called and Their Future*, Bombay : Popular Book Depot, 1949, p. 21.

⁷¹. Verrier Elwin, "The Baigas", p. 519, cited in Ghurye, *The Scheduled Tribes*, p. op. cit.

was concerned with them. Sher Singh⁷² noted that the criminal tribes were first dealt with by a Regulation in 1773 and later in the year 1871. Certain tribes were dubbed as criminals.

Most of the tribes follow beliefs and practices which are common among the caste Hindus, particularly in the rural areas. The similarities led the Anthropologist, Ghurye to think that they were Hindus. He called them "Backward Hindus".⁷³ However some tribes did follow Islam⁷⁴. There were also some that had converted to Christianity. The latter ofcourse was a recent phenomenon born out of the British conquest. Curiously enough while some of the tribals claimed higher caste status,⁷⁵ others have been reduced to untouchables.⁷⁶ Irrespective of their claims and religion, many of the criminal tribes on account of their food habits and occupations are reported to occupy, at present, lower rungs of the population, equivalent to or lower than the untouchable castes.

⁷². Sher Singh. *The Sansis of Punjab*, Delhi : Munshiram Manoharlal, 1965, p. 244.

⁷³. Ghurye, *The Aborigines : So called and their future*, op. cit., p. 21.

⁷⁴. C. B. Mamoria, *Social Problems and Social Disorganisation in India*, Allahabad, Kitab Mahal, 1960, p. 232.

⁷⁵. George Bruce, *The Stranglers, The Cult of Thuggee and its Overthrow in British India*, New York : Harcourt, Brace and World, Inc., 1968, p. 15.

⁷⁶. P. D. Biswas, *The Ex-Criminal Tribes of Delhi State*, Delhi : University of Delhi, 1960.

The criminal tribes were wandering criminal tribes who from times immemorial have earned their livelihood by practicing nefarious acts of a similar kind which the gypsies in Europe adopted until a generation or two ago.⁷⁷ These tribes were known as criminal tribes because "the men and women born within it take to crime just as duck takes to water because it is a duck".⁷⁸ Members of those groups were treated both by the government and the people as born criminals. The government always kept vigilant watch over their movements.⁷⁹ People tried to avoid them⁸⁰ for fear for their violent and criminal activities. For the first time in the 1991 census, the tribes with criminal occupations were categorized as criminal tribes.

Certain Tribes engaged in criminal acts such as dacoity, robbery, etc. were called Criminal Tribes by the larger society. But the government used to deal with the individuals caught in crime individually or collectively first under the Regulation XXVI of 1793, then under the Act XXX of the 1836 and later under the Indian Penal code of 1860. Thus legally until the year

⁷⁷. B. S. Haikerwal, *Economic and Social Aspects of Crime in India*, London : George Allen and Unwin Ltd., 1934, p. 144.

⁷⁸. *Ibid.*, P. 144.

⁷⁹. K. M. Kapadia, "The Criminal Tribes of India", *Sociological Bulletin*, 1, 11 (March 1952), 24, p. 100.

⁸⁰. *Ibid.*

1871 no tribe as a whole was dubbed as a criminal tribe.

When control of the traditional criminal behaviour on the part of certain tribals became a problem for the British Government, they felt it necessary for preventive and deterrent purposes to treat the entire tribal group legally as a criminal tribe. In this way all the members could be kept under continuous watch and vigilance. The Criminal Tribes Act of 1871 thus was enacted with the assumption that unless the entire tribe was put under certain restrictions it would be difficult to detect the professional criminals in it. In any case, a good majority of them were indulging in criminal acts. In accordance with the thinking of the time there was a felling among the influential people of the government that members of a particular tribe are born criminals and they should be severely dealt with. Prevalence of such opinion is born out by the statement made by the then Member for Law and Order Mr. T.V. Stephens while introducing the Bill of 1871. According to Stephens, "The special feature of India is the caste system. As it is, traders go by castes: a family of carpenters will be carpenters, a century or five centuries hence, if they last so long. Keeping this in mind the meaning of professional criminal is clear. It means a tribe whose ancestors were criminals from times immemorial who are themselves destined by the usages of caste to commit crime and whose descendants will be offenders against law, until the whole tribe is exterminated or accounted for in the

manner of the Thugs. When a man tells you that he is an offender against the law, he has been so from the beginning, and will be so to the end, reform is impossible, for it is his trade, his caste, I may almost say his religion to commit crime."⁸¹

This meant that Stephens linked the tribe to a caste which follows a traditional occupation given to its members at the time of birth. The above statement has been misunderstood by many Indian sociologists⁸², writers⁸³, leaders⁸⁴ and reformers.⁸⁵ They assumed that Stephens intended that the criminal tribes were congenital criminals. The government took its stand on three assumptions.⁸⁶ First, all persons born in a particular group or caste would become criminals from birth because they take up the father's profession; second, when once they learn criminals will always continue to be criminals because they believe it to be

⁸¹. V. Raghaviah, *The Problems of Criminal Tribes*, Delhi : Akhila Bharatiya Adamiyati Sevak Sangh, 1949, p. 6.

⁸². Kapadia, *The Criminal Tribes of India*, op. cit.

⁸³. Haikerwal, op. cit.

⁸⁴. Jawaharlal Nehru, A speech delivered at Nellore, Andhra Pradesh, in October, 1936. As cited in Haikerwal, op. cit.

⁸⁵. Ravi Shankar, A former King in Gujarat, cited in Kapadia, op. cit.

⁸⁶. Kapadia and others state two options : One, "all persons born in a particular group or caste are criminal by birth" and second, "once a criminal always a criminal".

a legitimate profession; three, because of continuous criminal practices, they became hardened criminals. The Act, therefore, provided for registering all the members or any members of such tribes declared as criminal tribes. It also required such registered members to report themselves to the police authority at fixed intervals, "and/or to notify his place of residence and any change or intended change of residence and any absence of intended absence from his residence".⁸⁷ The Act authorized the government to restrict any criminal tribes or any part or member of such a tribe in its or his movements to any specified area or to ask it or him to settle in the place of residence specified enjoined upon the registered member to take out a pass whenever he crossed the limits of the place in which he was settled or confined, or the area to which his movements were restricted even if it be for a few hours, and/or for a laudable or an innocent purpose".⁸⁸ The Act also prescribed punishment on those who contravened these rules. The punishment was - "liable to imprisonment for one year on a first conviction, and for three years or to fine, which may extend to Rs. 500, or to both on any subsequent conviction."⁸⁹

The Act provided for registering of all the members of any group or

⁸⁷. *Ibid.*, p. 100.

⁸⁸. *Ibid.*

⁸⁹. *Ibid.*

tribe, including the non-criminal members, as potential criminals. This meant a social and legal stigma both on the criminals and non-criminals within a group. Thus, for fear of non-acceptance by the society and fear of the government, even the non-criminals were probably forced to take to crime as a profession. As Sutherland points out: "Crimes also will increase by making the law".⁹⁰

The Act was amended in 1897 on the recommendation of the Police Committee. The members of the criminal tribes were made liable to increased penalties on their second and third convictions. A provision was made permitting separation of the children of the criminal tribes between the age of 4 to 18 years from their parents and placing them in reformatory settlements. This was done because of the changes in the social science research and general thinking in vogue in Britain and British India at that time in favour of reformation and the use of the same. It was recognized that criminality was a function of the association. The youngster had learned from his adult criminal. That is why it was felt necessary to separate the children from the criminals.

Until 1908 the usual method was to cast into prison those who were

⁹⁰. E. Sutherland, "Criminology", cited in Haikerwal, *Economic and Social Aspects of Crime in India*, London : George Allen and Unwin Ltd., 1934, p. 17.

caught. It was discovered, however, that the families of these men were usually involved. If the men were thrown into prison, the families either had to continue their depredations or else were in great distress. Moreover, the authorities found that criminals who were released from prison were worse off than before. But, meanwhile, the Salvation Army and some other religious organizations had been experimenting with some of the criminal tribes and with released prisoners to see what could be done to turn them to honest channels of living.

Finally in 1908 the first Criminal Tribes Settlement Act was passed. It permitted the various provincial governments of India to make plans whereby tribes suspected of living by crime could be registered and supervised by the police, and those members of criminal tribes which had been convicted could be placed in settlement. In these settlements they were taught to work, instructions were given to lead an honest life. Their children were sent to schools. It hoped to have a complete reformation of the criminals.

But the desired result was not achieved by the Act of 1908. Consequently, it was again amended in 1911. The main features of the law were as follows:

If the local government has reason to believe that any tribes, gang, or class of persons or any part of a tribe, gang, or class is addicted to the systematic commission of non-bailable offences, it may, by notification in the local official gazette, declare that such person or group is a criminal tribe as the term is used in this Act. There are two methods of dealing with these people- registration and settlement. Registration attempted to keep track of them under police surveillance in the communities where they live, or, if they are wandering tribes, where they may be found when suspected of crime. Settlement means locating them in a special place provided so that they can be more closely controlled than by registration. In the settlements they were under the control of the criminal tribes settlement officers.⁹¹

In short, this Act contemplated that criminal tribes should be placed in settlements or otherwise restricting the movements of those members and families of criminal tribes who were a menace to the community. The Settlement Act began as an experiment.

According to the Act 1911, the Criminal Tribes were classified into three categories, viz., (a) Tribes who were originally criminal, but had settled down to honest occupations although some sections of them or individuals

⁹¹. John Lewis Gillin, *Taming the Criminal*, New York : The Macmillan Company, 1931, p. 111.

continue to live by crimes, (b) Tribes who had settled abodes and generally some ostensible occupation but who periodically committed dacoits and robberies at distant places from their homes and lived by such gains, and (c) Nomadic tribes who wandered continuously and committed robberies whenever opportunities offered. Because of this classification different methods were suggested for dealing with the different groups.

On the recommendation of the Indian Jail Inquiry Committee (1919-20), the Criminal Tribes Act was again amended in 1923 and it was applied to the whole of British India in 1924. The Committee recommended that a formal inquiry was necessary before any individual was registered as a member of a Criminal Tribe. It said that the "Criminal Tribes Acts should not be converted into an engine of repression and the ultimate aim of the settlements should be the absorption of the settlers in the general body of the community."⁹²

Under this Act, an individual of any community who was considered to be a habitual offender, or who committed systematic crimes, came under

⁹². Mamoria, *Social Problems and Social Disorganisation in India*, op. cit. pp. 234 - 235.

the purview of the Criminal Tribes Act for constant surveillance.⁹³ Some of the main features of the Act are outlined below:

Notification:

Section 3 of the Act empowered the local government to declare any tribe, gang, or class of persons or a part thereof, as criminal tribe, if it has some reasons to believe that they are addicted to the commission of non-bailable offences.

Registration:

After the notification of a tribe as a criminal, the District Magistrate was asked by the local government to make a regular register of the members of the criminal tribes living within his jurisdiction. Then the District Magistrate would call every member of the tribe concerned and would ask each one to furnish the information required by him. Then finger prints of the person were taken in the register, with full particulars. The members were registered, according to the recommendation of the police. So members of the ex-criminal tribes were absolutely at the mercy of the village headman and the police authorities, who always misused their power to such an extent that even blind persons were registered. The

⁹³. P. K. Bhowmik, *The Lodhas of West bengal*, Calcutta : Puntti Pustak, 1963, p. 264.

District Magistrate of the local government used to order the registered member to report himself to the village headman or to the police at fixed intervals, which usually occurred at inconvenient hours like 11.00 P.M. and 3.00 A.M. The movements of a registered member were also restrained and he had to procure a pass from the police to cross the limits of his village. If even he needed to go to some other village, he had to secure a pass in which he had to give the full particulars of his place of destination and on reaching there he had again to report to the authorities of that place. A breach of such a restriction used to be punished, under section 22, by imprisonment up to 3 years or a fine of Rs. 500.

Settlements of Criminals:

Section 16 of the Criminal Tribes Act provided for the establishment of reformatories and educational and agricultural settlements for criminals and it empowered the local government to place any tribe, group, or any individual in any type of criminal settlement. This could be done even for a man with his previous conviction. They were sent to the criminal settlements for not paying a fine of one rupee.

Unjust Punishments and Sentences:

Section 23 of the Criminal Tribes Act declared that any person belonging

to the criminal tribes convicted once for any offences under the Indian Penal Code specified in Schedule I, if convicted of the same offense for the second time, will be punished with imprisonment for 10 or not less than seven years and on third or any subsequent conviction with transportation for life. This section contemplates further settlement also.⁹⁴

From the above summary, we see how unwarranted restrictions were imposed on the tribes. More often than not they were mercilessly misused. Insistence on getting a pass and reporting one's self to the police led the police and village headmen to take forced and free labour from the poor. This gave birth to bribery on a small scale. Many a time the headmen or the police made wrong and unreasonable entries against innocent persons due to personal grudges. For as Ravi Sankar stated, "if a policeman or a patel wants people to bring fodder for cattle, he registers a few young Dharalas (A tribe of Kaira district) who would become his servants. If an innocent Dharala goes about the village with a *hukka* in his hand, it is regarded as an impertinence and an insult to the patel, who gets him registered under this Act."⁹⁵

We have seen that the Criminal Tribes Act was amended are

⁹⁴. Sher Singh, *op. cit.*, p. 245.

⁹⁵. Raghaviah, *op. cit.*, p. 7.

re-amended a number of times to control the tribes. Though the Act remained in force for about 80 years, it could not do what was expected of it. The policy of the government was to suppress the turbulent elements among the tribes and also to encourage them to settle down and to provide them with proper mean of earning an honest livelihood. But due to faulty social conditions the status of the tribe remained the same as before and therefore the law, however well intended, could not have any favourable impact.

After India achieved its independence the leaders and social reformers took note of this problem. It appeared to have been realized that the Criminal Tribes Act was a blot in the Indian statutes. Jawaharlal Nehru once state in a speech delivered at Nellore, Andhra Pradesh, even before independence in October 1936, that he was "aware of this monstrous provision of Criminal Tribes Act which constitutes a negation of civil liberty. Wide publicity should be given to its working and an attempt made to have the Act removed from the Statute Book. No tribe could be classified as criminal as such and the whole principle is out of consonance with all civilized principles of criminal justice and treatment of offenders."⁹⁶

Various States in India took steps to repeal the Criminal Tribes Act.

⁹⁶. Raghaviah, *op. cit.*, p. 13. cited speech by Nehru.

The Madras Government (Andhra Pradesh then in Madras State) was the first to take steps to repeal the Act in government) appointed a Committee in 1949 to study the useful existence of the law. It concluded that the Act was against the spirit of the Constitution. As a result, the sway of 80 years of the Criminal Tribes Act was repealed in 1952 and in its place, the Habitual Offenders Act was enacted in the same year. With this abrogation of the Act about 2,300,000 persons of the country were set free legally. Thus the legal stigma attached to the tribes was squashed. The 1949 Committee also recommended that suitable steps should be taken for the amelioration of the criminal tribes after the repeal of the Act. The government started taking necessary steps to wean them away from criminal activities.

THE BAWARIYA TRIBE

ORIGIN AND INTERNAL CLASSIFICATION

According to Crooke in his book "The Native Races of India - The Tribes and Castes of North Western India", the Bawariya are a hunting and criminal tribe practically found only in Muzzafarnagar and Mirzapur⁹⁷. Various explanations have been given of the name. Colonel Dalton would connect it with the Sanskrit barbarā, varvara, which appears to be the Greek barbaros, and applied to any outcaste who cannot speak Sanskrit. Others take it to be another form of the Hindi baola, baora (Sanskrit, ratula, 'inflamed with wind'). It is most probably derived from the Hindi Banwar, 'a creeper' (Sanskrit Bhramara), in the sense of a noose made originally from some fibrous plant and used for trapping animals, which is one of the primary occupations of the tribe. The Bawariyas in the provinces

⁹⁷ Crooke's book deals mainly with the Western Bawariya.

seem to fall into two branches - those resident in the Upper Duab, who still retain some of the original customs and manners, and those to the east, who assert a more respectable origin, and have abandoned their original predatory life.

The Divisions of the tribe to be which are met with are:-

Dehliwal

Malpura or Kerowli

Khairwada or Kerara.

Badak

Marwada Bowri (distinct from the Marwadi Baori coiner).

In addition to the above there are the Panjabi and the Malwi or Moghia Bowri.

The clan names of the various classes of Bowris are similar to those of Rajputs, the following being among the best known:-

Solanki, Koli, Dabi, Chowan, Wadiarey, Dhandal, Parmar, Chowan etc.

The Dehliwal Bowris hail from Muzaffarnagar, Malpuras from Bhopal, Khairwadas from Gwalior, Badaks from Bhopal and United Provinces, Marwadas from Marwar, Punjabis from the Punjab and Moghias from Malwa.

J. Wilson, according to Crooke has given the best account of the Bawariyas in western India. He has divided them into four sections - (1) the Bidawat Rajputs, giving Chithor as their place of origin; (2) the Deswali, living in the country about Sirsa; (3) the Kapriya to the west about Delhi; (4) the Kalkamaliya, or 'black blanket people,' who (especially the women) wear black blankets, and are found chiefly among the Sikhs of the jungle and Malwa country. These four sections do not eat together or intermarry; but say they are most numerous Rajputana and the districts bordering upon it, but extend up the Satlaj to Ferozpur and Lahore. The name of the tribe seems to be derived from the Banwar or snare with which they catch wild animals, but many of them despise this their hereditary occupation; and indeed, it seems now to be practised only by the Kalkamaliya or panjabi section. The Bawariyas are seemingly an aboriginal tribe, being of a dark complexion and inferior physique, though resembling the Bagri Jats. Many of them are fond of a wandering life, living in wretched huts, and feeding upon lizards, foxes and other jungle animals, but they say they will

not eat fish. In other districts they are known as a criminal tribe, but here many of them are fairly respectable cultivators, some are employed as village watchmen and many of them are skilled in tracking. They are divided into clans (got, nak) with Rajput names, such as Chauhan, Panwar, Bhati. The Bawariyas who live, among the Sikhs (kalkamaliya) wear the hair long (kes), and some of them have become regular Sikhs, and have received the pahul. The black blanket Bawariyas speak panjabi, and the Bidawati Bigari; but they have besides a dialect peculiar to themselves, and not understood by ordinary peasants. Bawariyas considered themselves good Hindus, and say that regular Brahmans officials for Jats and Banyas. They hold the cow sacred and will not eat beef; they burn their dead and send their ashes to the Ganges. They are said sometimes to admit men of other tribes to their fraternity, and an instance is given in which a Banya for love of a Bawariya woman became a Bawariya himself.

Wilson is also one of the only scholars who describes the hunting practises of the Bawariya in such great detail - "Whole families of Bawariyas come South in the rains for a lizard hunt, and may be seen returning with baskets full of their game, which live for days without food, and thus supply them with a succession of meat. The lizard has a soft fat body and a broad tail with spikes along each side. He lives on grass, cannot bite

severely, and is sluggish in his movements, so that he is easily caught. He digs a hole for himself of no great depth, and the easiest way to catch him is to look out for the scarcely perceptible air-hole and dig him out; but there are various ways of saving oneself this trouble. One, which I have seen, takes advantage of a habit the lizard has in the cold weather (when he never comes out of the hole) of coming to the mouth for air and warmth. The Chuhra or other sportsman puts off his shoes and steals along the prairie till he sees signs of a lizard's hole. This he approaches on tiptoe, raising over his head with both hands a mallet with round, sharp point, and fixing his eyes intently upon the hole. When close enough, he brings down his mallet with all his might on the ground just behind the mouth of the hole, and is often successful in breaking the lizard's back before he awakens to a sense of danger. Another plan, which I have not seen, is to tie a wisp of grass to a long stick and move it over the hole, so as to make a rustling noise. The lizard within thinks "Oh here's a snake! I may as well give in," and comes to the mouth of the hole, putting out his tail first that he may not see his executioner. The sportsman seizes his tail and snatches him out before he has time to learn his mistake.

Again, a body of them, men, women, and children, go out into the prairie in search of game. When they have sighted a herd of antelope in the distance, they choose a favourable piece of ground and arrange their

banwars, which are a series of many running nooses of raw hide tied together and fastened loosely to the ground by pegs; from the banwars they rapidly make two lines of bogies by sticking bits of straw with black rags tied to them into the ground at distances of a foot or two apart. These lines widen away from the snares so as to enclose a V-shaped piece of ground with sides perhaps a mile in length. the unsuspecting herd of antelope being enclosed within the V. at the pointed end of which are the snares. All this is arranged in a wonderfully short space of time, and when it is all ready, the main body of hunters, who have meanwhile gone round the herd of antelope and formed a line across the open mouth of the V, suddenly start up, and by unearthly yells drive the herd inwards towards the point. The first impulse of the antelopes is to rush directly away from their tormentors, but they soon come to the long lines of fluttering bits of rag which forms one line of the V. They are thus directed into the place occupied by the snares. It is interesting as one of the methods by which an ignorant tribe with the simplest means can by their superior cunning circumvent the swift antelope on his native prairies."⁹⁸

Also quoted by Crooke in his book is the following account of the Bawariyas themselves, when they were interrogated regarding their

⁹⁸ W. Crooke. *The Native Races of India - The Tribes and Castes of North Western India*, p229.

customs and kindred⁹⁹ "The mugins and Baguras who reside in Malwa and on the Chambal river commit dacoity, burglary and theft; they stick at nothing. They go in large parties (kafla), sometimes as carriers of Ganges water, sometimes as Brahmans, with the sacred string round their necks. The Haburas commit theft. The Gujars call us Gidiyas, and the jats call us Bauris. Gidiya is merely a local name of our tribe; there is no distinct class of people of that name. The Sansiyas are not of our tribe: they are a distinct class; they are thieves but seldom ascend to dacoity - (this is certainly incorrect). The kanjars are all thieves; they cut grass and make thatches, and bivouac in suburbs under huts of long grass (sirki), but always thieve. Our caste was originally Rajput, and our ancestors came from Marwar. We have seven clans (got) - Punwar, Soharki, Dabas, alias Dabi, Chauhan, Tunwar, Dhandara, alias Dhandal or koli, and Gordhi, with the Chami, making eight in all. Two or three centuries ago, when the Emperor of Delhi attacked the fortress of Chittor and besieged it for twelve years for the sake of the Princess Padmini, the country became desolate and we were obliged to emigrate in search of employment, and disperse. Those that came into the Delhi Territory were called Bauris; those that went into the Gwalior territory were called Mugins and Baguras. To the eastward they were called Baddhiks, and in Malwa Bahuras. We are not people of yesterday; we are

⁹⁹. *Selections from the Records of the Government, North-Western Provinces, I.*, 386: *North Indian Notes and Queries, I.*, 66.

of ancient and illustrious decent. When Ravana took away the wife of the God Rama, and Rama wanted to recover her, men of all castes and god Rama, and Rama wanted to recover her, men of all castes went to fight for him in the holy cause. Among them the best was a leader of the Bauris called Pardhi. When Rama vanquished his enemy and recovered Sita he asked Pardhi what he could do for him. 'Grant,' said Pardhi, 'that I may attend your Majesty, mount guard, and hunt in the intervals of leisure, and I shall have all that my heart wishes.' The god granted him his request, and his occupation has come down to us. If any Prince happens to have an enemy that he wishes to have made away with, he sends for some of our tribe and says, - 'Go and bring so and so's head.' We go, steal into his sleeping apartments, and take off the person's head without any other person knowing anything about it. If a prince wanted, not the head of his enemy, but the gold tassels of the bed on which he lay asleep, we brought them to him. In consequence of our skill in those matters we were held everywhere in high esteem, and we served Princes and had never occasion to labour at tillage. This was before the emigration and dispersion of the tribe we, who have come to the Delhi Territory and are called Bauris, took to the trade of thieving. Princes still employed to take off the heads of their enemies and rob them of their valuables. At present the Bauris confine themselves almost exclusively to robbing tents; they do not steal cattle or break into houses, but they will rob a cart on the highway occasionally; any

other trade than robbery they never take to. They reside in or near villages under the protection of landlords, and while out for a long period at their vocation, they leave their wives and children under their care. They give them the mean of subsistence, and for these advances we are often indebted to them three hundred or four hundred rupees by the time we return. When we are about to set out on our expeditions we get a loan of twenty or thirty rupees from the landholders or merchants of the place, and two days before starting we sacrifice a goat and make burnt offerings to the goddess Devi, sometimes to her of the fiery furnace of jawala, in the Himalayas, and sometimes to our old tutelary god of Chithor. We present sweetmeats and vow unwearied devotions if we are successful. After this we take our suspices thus: - We go in the evening into the jungle, and there in silence expect the call. If the partridge or jackal call on the left we set out without further ceremony; the bark of a fox even will do. If any of them call on the right, we return home and try again the day following. As soon as we get a good omen we set out. If we take it in the morning it must be before sunrise, and the fox, partridge, or jackal, must cry on the right to be good. If a deer cross from the left to the right it is a good omen. We have a couplet on this subject signifying that if the crow and the deer cross from the left to the right and the blue jay from the left to right even the wealth that has gone from us will come back."

FEILD OF ACTIVITY AND RESIDENCE PATTERNS

There is no limit the Bauriah's field of activity. Ceylon alone being immune from his excursions. The Moghia does not, it is believed, penetrate further than Gujerat and Khandesh.

The Bauriah plies his calling in village, town or city in all parts with equal impartiality, small villages at which he halts alone being exempt for the time being.

During the monsoon season the Bauriah remains more or less inactive. He either returns to his home up-country before the monsoon breaks, or takes shelter in or near some Native State or lies low at some place where he has reason to feel secure from inconvenient enquiries. With the cessation of the rains the class begins wandering again and expeditions are planned and embarked on.

To commit a lucrative burglary Bowris will travel as much as forty miles in the twenty-four hours. When exploiting the country, the Bowris travel in gangs of varying strength but usually do not exceed ten. In large cities and at important centres these gangs concentrate and till suspicion is roused by their numbers and movements, work together.

Every gang is headed by a leader styled by Dehliwals and Marwadas 'Kamaoo'; by Malpuras 'Malpuras 'Kadoo'; by Badaks 'upkare' and Jamdar' by Moghias. Among Dehliwals and Malpuras the gang consists of a 'Kamaoo', or Kadoo,' ' pitwaris' (the rank and file of the gang who commit thefts), 'bhandari'(cook) and 'kothari' (one who does odd jobs such as washing pots, clothes, etc.)

Badak, Marwada, and Khairwada gangs are usually accompanied by families.; Dehliwalas only occasionally; Malpuras and Moghias never. For the transport of their families Badaks use ponies, donkeys, buffaloes or cows; Khairawadas bullocks only; Marwadas and Dehliwals ponies. Moghia gangs are sometimes in possession of a camel or two.

With the exception of Khairwada and Marwada Bauriahs who, as a rule, boldly put up inside towns and villages in temples, dharamsalas or serais, Bauriahs of all divisions prefer to lurk in the outskirts or environs,

either in the open in or near some garden or top of trees in the vicinity of water, or, in some secluded temple, 'math' or other convenient resting place.

During the rains Dehliwalas if accompanied by their families sometimes pitch pals; Badaks invariably live in pals all year round.

APPEARENCE, HABITS AND DIALECT

The Moghia is in appearance and dress very similar to the ordinary cultivator of Central India. To a local inhabitant of this he would most resemble the Banjara of Khandesh or the Labhana of the Panch Mahals.

For the rest, Bauriahs as a class are strong, well built, and of medium stature, with coarse features. Their complexion varies between sallow and dark. They are active, keen of sense and inured to hardships and fatigue. The female Bowri is generally sallow or wheat-coloured and often without claims to good-looks. Their morals are not above suspicion, though it is unusual for them to misconduct themselves with men outside their caste. The women do not actually participate in crime, but are always well informed and assist in the disposal of the property and in procuring legal and other assistance when their husbands are in trouble.

Khairwada women are cleaner, better dressed and more refined looking than the females of the other divisions. Badaks are said to have one, two or three scars or burns on the inside of their left wrists, - the statement has not however been verified.

As the Bauriahs (Moghias excepted) met with are generally if not always in disguise, a description of their customary home attire is not of much practical use, but one or two peculiarities may be instructive. The Bauriah will never wear dhoti and langoti together. As a rule he wears dhoti ten cubits in length or an angocha (A short dhotar) measuring six cubits. Both are tied in a peculiar fashion, the former displaying more of the right thigh, the latter of the left. For the rest he wears a Kurta or shirt and a large fieta or head-scarf tied in the up-country fashion. Marwada Bauriahs sometimes wear the Rajput Kada on the right ankle. Badaks, though similar in their dress to other branches of the Bauriah class, are in appearance, dress and habits the dirtiest and most untidy of all Bauriah women in their home up-country wear petticoat or ghagra, odni or head-scarf and kanchli or bodice fastened at the back, or sutna (Trousers) instead of a skirt with a mirjai or coat over the bodice and ornaments of the up-country fashion. Down-country a coarse sari takes the place of petticoat or trousers.

Tattooing among females is largely indulged in, most of them having a dot or two or some lines at the corners of the eyes, at the side of the nose, below and lower lip as well as on the knuckles, wrists and arms.

Moghias , both men and women, closely resemble in dress and appearance Marwar Rajputs, though perhaps they are not so clear on well dressed.

At home Bauriahs cook their food in earthen vessels, but abroad, as they travel in the guise of Sadhus, they adopt, Badaks perhaps excepted, the customs in vogue among Sadhus, and as a rule use metal utensils, unless accompanied by families, when earthen cooking pots are used. They eat all flesh except that of the cow and are addicted to drink. They smoke tobacco and ganja and some eat opium. They generally live well. Experience in this Presidency goes to of the Dehliwal Bauriahs against touching iron, wearing red and blue cloth and eating vermicelli, coconut and so on, no longer exist. With the exception of the lowest of the depressed classes, Bauriahs admit all castes into their own and instances are not wanting of individuals of good social position having become Bauriahs, usually as the outcome of a love affair with some attractive Bauriah women.

The Bawariyas have a dialect of their own, which has some times

been considered a sort of thieves' slang kept up to facilitate their combination for purposes of crime. Their dialect seems to be a mixture of corrupt Hindi and Gujrati, with the peculiarity that 's' is pronounced as 'kh'. It is sufficiently hybrid to prevent the uninitiated understanding it; being copiously interlarded with slang expressions, it affords the class a means of inter-communication with secrecy in the presence of strangers. With slight variation it is used among all divisions of Bauriahs.

Defying grammar they make 'khabagadi khachi vat ko kahio ma' out of 'saheb ke age sach bat mat bolo' (do not tell the truth before sahib.) Spoken with a sing-song twang peculiar to the Bauriah, the language may well be termed a 'thieves' jargon. They can speak Hindustani fluently, Moghias can also speak the Malwi language.

The following are some of the slang words and expressions commonly used among Bauriahs:-

BY DEHLIWALS, KHAIRWADAS AND MALPURAS :

| SLANG | MEANING |
|-----------------|----------------|
| datoni or netri | knife |

| | |
|----------------------|---------------------------------------|
| pidā | gold |
| dhowli | silver |
| nakoni | nose-ring |
| bhaji | meat |
| kaladi | liquor |
| dando | road |
| gomti | night |
| bhogi | property, loot |
| gyan or gyandas | implement for housebreaking |
| terwa or tarkada | sepoy |
| mandlon | a gang |
| phodi gero | |
| todi gero | break it up. |
| chagdi gero | |
| gali gero | |
| goddo marto avie | melt it down. |
| terwa thai awe se ek | |
| ghakh khai jao | a sepoy coming, disperse and run away |
| hette kari gero | put it underneath or bury. |
| kamaoo kaddo | leader of the gang |
| kolidakh | be on the alert |
| balka | hieroglyphics |

| | |
|---------|---|
| asan | hitting place |
| ujhanto | snatch ornaments (from the persons of sleeping females) |
| jamno | right |
| dawo | left |

BY BADAKS

SLANG

MEANING

| | |
|---------------------|--------------------------|
| mankho or mankhiya | man |
| mankhi | woman |
| rokhlo | bread |
| dhorl | silver |
| netri | knife |
| bawan | kinswoman |
| kali bhor | sepoy |
| mota modno avi gayo | an officer has come |
| khobar thal gai | a clue has been obtained |
| khati jao | hide yourself |
| ramai do | make away with it |
| ya mai kachu | |

| | |
|---------------------|--------------------------------|
| nahi jharka riyo | I cannot find the property |
| ek jane ale lido | |
| mane jhal lido | a man has been arrested |
| gyan or gyandas | the jemmy of the Badak |
| hiro chudave le | let us rescue him |
| upar pada | dacoity |
| khoi ja | go to sleep |
| gyan ko thai nai | the jemmy has not gone through |
| khankaro or | |
| charandasi | pair of shoes |
| patakri | gun |
| terwa | chowkidar |
| londriya pokhi raho | a dog is barking |
| talaro or khapkni | sword |
| pilo | gold. |

BY SOME OTHER DIVISIONS :

SLANG

MEANING

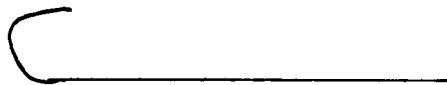
bhindia or bhindo

man

| | |
|----------------------|------------------------|
| bhindi | woman |
| kajli | theft |
| santo | burglary |
| daulatia | the jemmy of the Baori |
| tanai liya | he was arrested |
| bajhad lo | rescue him |
| nahi hadlo | run away |
| hara | dacoity |
| nakhalya or gangaram | pair of shoes |
| bhutkani | rifle |
| nokia | chowkidar |
| bajtaido | hide the article |
| naiteri | sword |
| ramraj | gold |
| bawan | kinswoman |
| bakti | knife |
| kali bhor | sepoy |
| khaura or | |
| bajniya(Kaldar) | rupee |
| dabuwa | double paise |

Dehliwal and Malpura Bauriahs have an interesting system of hieroglyphics or cabalistic signs which they make in charcoal as a rule, on the walls of houses, dharamasalas, temples at important corners, ferries, bridges or cross-roads, and on the ground by the roadside with a stick, if no building is handy, as a means of inter-communication between gangs and with one another. The numerals used by the Bauriah are obviously of Sanskrit origin.

It is not known what other subdivisions or how many of the Bauriahs are initiated into the mysteries of these symbols or whether different gangs have different signs, but the following are known to be in use. The commonest is a loop thus:-



the straight end indicating the direction a gang or individual has taken. The addition of a number of vertical strokes signifies the number of males in the gang, thus-



When the strokes representing the strength of a gang are enclosed by a circle, thus:-



it means that a gang is encamped in the vicinity, intends to return and all is well.

A square surrounded by a circle to which a line is joined thus:-

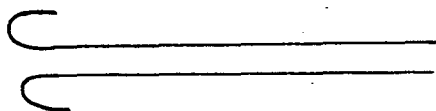


means to those in the know, that property has been secured by friends who have left in the direction pointed by the line. (The square is intended to represent a box.)

have left in the direction pointed by the line. (The square is intended to represent a box.)

It is said that Bauriahs follow up one another for fifty or even a hundred miles with the help of these hieroglyphics. The signs are bold marks sometimes even a foot or more in the length and are made where they will at once catch the eye.

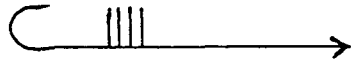
Bhargava(1949). is also able to enlighten us about the use of a regular and widespread system of signs when the Bawariyas are engaged in their criminal activities. He also gives us a descriptive account of some of the signs used by them :



The curved arc points out the direction the gang has chosen.



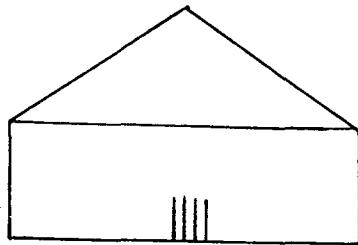
Three persons are hiding in the vicinity.



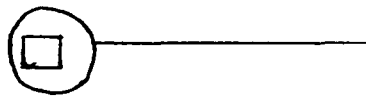
Four persons have gone in the direction of the arrow.



Two persons are hiding in the well.

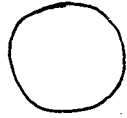


There are four persons in the temple.



Property has been secured and the gang has escaped in the direction of the line.

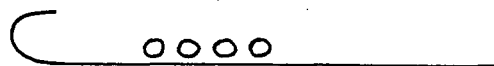
The gang is encamping in the village.



The gang is encamped in the vicinity for three days and has now left for the new destination.



The gang has in its possession property worth Rs 400 and has gone towards the direction denoted by the arrow.



OSTENSIBLE MEANS OF LIVELIHOOD AND METHODS OF DISGUISE

As far as an ostensible means of livelihood is concerned the Bauriahs, with perhaps the exception of Badaks, support themselves it is said, by field labour, cultivation and selling fuel, grass, etc. and many it is understood are law-abiding and prosperous. Among some of the classes men are also employed as village watchmen and trackers.

Badaks however, as a class, appear to follow no honest pursuit for a livelihood anywhere, though in Malwa it is believed some live by grass cutting and cultivation on a small scale.

In this presidency the Bauriahs (Khairwadas and Moghias) excepted ostensible means of livelihood is begging. Khairwadas and a few Malpuras and Dehliwals also hawk scented oil, mixtures and pills to which are ascribed potent properties. Moghias met with in Bombay Presidency have no ostensible means of livelihood. They do not come to stay but on some

specific criminal expedition and are therefore well provided with funds.

Dehliwal, Malpura, Badak and Marwada Bauriahs are generally, if not always, disguised as Bairagis or Gosavis (those with women and children as the latter), in whose prayers, religious habits, ceremonials and incantations some are very expert. All are, however, very clever in their get up mark their foreheads with ashes or gopichandan, wear tulsi or rudraksha mala (string of beads) round the neck, and carry about the usual paraphernalia of the real Sadhu including chimta (tongs) and begging bowl (kamandal). Generally two or three in a gang read and drone out long pieces from Tulsi Krit Ramayana and other religious books. At this Malpuras are particularly good. Some shave their heads other allow their hair to grow and affix 'das' (if posing as Bairagis) or 'gir' (if as Gosavis) to their names. They invariably have two names, one given, by their parents and other by their GURU. Most Dehliwals Malpuras and Marwadas have the Dwarka or Ajodhia CHHAPS or the brands of the religious visitor to these shrines. on the upper arm.

Bauriahs are such adepts at the 'Sadhus' disguise that ordinary people are rarely able to penetrate them and even Sadhus themselves are taken in. It is only by the Bauriahs style of living, what he eats and drinks and his manners generally that he can be distinguished from BONA FIDE

Sadhu who in these respects differs totally from the spurious article. They sometimes give themselves away by incorrect marks or tilaks on their foreheads, a mistake in the knot of the sacred thread, or in some other small but essential detail in the disguise.

Bauriahs cook and eat together and indulge in intoxicating drinks, consume flesh openly and as explained above, with the exception of Khairawadas and Marwadas, always live outside villages and towns. Real Sadhus, whose role they adopt, differ in these respects as under.

Both Gosavis and Bairagis put up in villages and though the former cook and eat meat they will not do so in company nor openly, nor will they drink liquor. Real Bairagis of course do not touch flesh or liquor at all. True Sadhus, if forced by cir circumstances to cook on a road, as they sometimes are when on a pilgrimage, will each cook and eat his own meat separately.

Moreover, parties of true sadhus are usually made up of individuals from different parts of the country with different dialects and more or less showing some difference in caste of countenance etc. The individuals constituting Bauriah gangs disguised as Sadhus have a general uniform appearance, dialect, manners and customs which to the practised eye

should excite suspicion and betray them. There is however reason to believe that Bauriahs have to some extent in recent years changed their tactics in respect to adopting the disguise of a Sadhu in his brick-coloured garments owing to the fact that this disguise is more or less a matter of common knowledge.

Marwadas besides posing as Sadhus also pretend to be up-country Brahmins, Sanjogi Bairagis, and accept both men and women, employment as water carriers and domestic servants in respectable houses. In this way they will live for months and even years in a town, meeting and committing crime in company at night and following their ostensible avocation during the day. Sometimes they are to be met with carrying across their shoulders 'kavads' supposed to contain 'Ganga Jal' or the sacred water of the Ganges. This device not only disarms suspicion but gains them access to respectable well-to-do households.

The Badak's favourite disguise is perhaps that of a Ramanandi Bairagi. Moghias are believed to pass themselves off as Banjaras, but not many instances of this kind have been reported. One means of identifying Bauriahs may possibly be found in the typical family dev carried about by them when wandering with their families. It consists of some grains of wheat and the seeds of a creeper known as 'mamarkhi' greased over with

ghee, enclosed in a brass or copper dabbi (respectable), a peacock feather, and bell all wrapped up in a pair of sheets of white cloth each measuring 2 1/4 by 2 cubits, the outer of which bears the imprint of a hand dipped in goat's blood. The whole is again rolled up in two pieces of red cloth (kharwa) of the same dimensions as the white and tied in a bundle. The dev is hung on a wall, if the party is putting up in a building, or is used as a pillow by a Bauriah male if encamped in the open. At home the dev is suspended from the ceiling of a room. Being an object of veneration great care is taken that it may not be contaminated. None but a male Bauriah or a high caste Hindu may touch the dev. Badaks, marwadas, Khairwadas and Moghias include small jingling balls or bells in the bundle and call the whole devi, probably because of the fact that they are worshippers of devi, especially 'Kalka Devi'.

As far as their religion is concerned they follow Hinduism and worship Kali-Bhawani and Zahir Diwan. The women in particular worship Kali-Bhawani. They do not however, employ Brahmans, but use their brother-in-law for all religious occasions, rituals and ceremonies. They usually burn the adult dead, and bury those who have not been married. They are in constant fear of the ghosts of the dead, and lay out food for them in platters made of leaves. They now principally live by catching birds of all kinds. Those that are eatable, they sell; others by releasing them from

the cages. They do not prostitute their married women or girls. They will eat almost any kind of meat except beef, and indulge freely in liquor. They will eat and drink from the hands of any Hindu except Nats and the regular outcaste tribes.

Baurials change their names frequently. When moving in gangs the leaders pose as gurus and rest as chelas. Their halting place is called asan.

NATURE OF CRIMES COMMITTED

B.S. Bhargava (1949) tells us that Bawarias of northern India have been notorious for committing thefts from camps, specially of Government officials and are probably the most clever of camp robbers and ten-cutters to be found in India. They are equally adept in nakabzani-removing goods from a building by gaining entrance through a hole made in the wall. He narrates that they have an interesting custom connected with this. On reaching the house they plan to burgle, they throw three small stones one after the other to ascertain whether the inmates are fast asleep. While this is probably no more than a measure of precaution or safety, they say that in this way they decide their course of action. According to them, if a man gets up on this warning, it shows that he has earned money by hard and honest labour; if he continues to sleep, they conclude that he has acquired money by dishonest means. Hence, if one does not wake up, they consider themselves justified in robbing him and distributing his wealth among those who have better claim to it. Sometimes they enter the camps of

pilgrims in the guise of ascetics and steal ornaments and other valuables when the inmates are asleep.

Burglary is their speciality and they commit it only when they are sure of a large haul. Before preparing for an expedition omens are sought by counting grains of boiled wheat. If the omens are favourable they set out on the expedition in guises best suited to their requirements. At the time of committing the offence they usually put on a mask to avoid chances of recognition.

For breaking into the houses they make use of the two devices known as Bagli Naqab and Naqab. In the first device, a hole into which a hand can be inserted is made in the wall at the side of the door frame and at the level of the latch. The arm is entered through this hole and the door is unfastened from the inner side. The second device is resorted to when they are aware of the exact place at which a certain property is placed in room and are sure that the property can be removed from outside without personal entrance. They simply make a hole at the place in question and secure their booty through it. During a single night a gang of Bawarias can successfully commit a number of offenses. Usually they do not indulge in criminal activities in partnership with anyone who does not belong to their

tribe.

When Bawaria camps are searched one invariably hears a peculiar sound produced from the throat which is considered as a warning to others to escape if possible. While going to a place one of them so drags his stick in the way that it leaves a track behind. Their accomplices easily follow the track so left and reach the rendezvous at the appointed time. This is especially helpful to the absconders. Where the road is metalled or the ground is such which cannot be conveniently be marked, they make small piles of stones and leaves alternately every few furlongs to guide other accomplices.

The Dehliwal, Malpura and Khairwada Bowris only forms of crime are housebreaking and theft by night, which when aggravated by violence develop into robbery or dacoity, as the case may be, and sheep-lifting by night. They do not commit crime during the day. Badaks, are addicted to thefts of all kinds, whether by day or night, house-breaking, cattle-lifting and crop-stealing. Badaks, women and children included, are also addicted to pilfering but are not experts in the sense that the Bhamptas are. Sometimes they will indulge in highway robbery though not of the serious kind.

Tent thieving appears to have been the Dehliwal Bauriah's hereditary speciality and even now he prides himself on being an adept in eluding sentries and gaining entrance to tents. Sheep lifting by Bauriahs has no characteristic features. The methods of other criminals, as described in the note on Ramoshis for instance, are followed. With respect to other forms of crime mentioned under the preceding heading experience in this Presidency does not furnish sufficient data from which any instructive information can be compiled. It is as a notorious and inveterate burglar that the Bauriah deserves special attention and stands out conspicuously among foreign and local criminals.

Moghias are burglars, dacoits, highwaymen, cattle-lifters and crop-raiders. Marwadas are given to housebreaking, highway robbery and dacoity, cattle lifting and cheating. But house breaking and theft by night is the speciality of all Bauriahs. Dehliwals are also expert tent thieves.

According to the Bengal Police Code, Vol I of 1897, Panjabi Bowris "call themselves 'khaswallas' or diggers of khas-khas. Their women frequent fairs and gatherings, where they pick pockets and steal ornaments from children. They take the service with ladies and even go to live with rich men as their mistresses in order afterwards to give information as to where valuables may be found. They are very expert in concealing money and

small articles about their persons, and even swallow them. They actively resist police when an attempt is made to search a village camp. They thieve in disguises and are forgers and counterfeiters of coins.

Solitary Bauriahs of the Malpura, Marwada and Badak divisions are believed sometimes to indulge in administering stupefying drugs to railway travellers.

MODUS OPERANDI AND DISTINGUISHING CHARACTERISTICS

Various patterns and methods can be traced in the Bauriah way of life, especially in their criminal activities. These are often distinguishing characteristics and are likely to afford a clue. Bauriahs set out from their homes or from their monsoon quarters, towards the end of the rains or in the month of 'kartik' on what is known as 'ramath' in other words their criminal expeditions and usually in the month of 'Ashad' return home or lie low somewhere.

The gangs (mandals, or girohs) are formed by the 'jamadar' 'kadoo' upkare or 'kamaoo' as the case may be. Their ostensible places of pilgrimage are (1) Jaganathji on the east coast. (2) Trimbakji in the Nasik District, (3) Dwarka in Kathiawad. (4) Rameshwar in Madras, (5) Gangaji in Hardwar (6) Prayag or Allahabad, (7) Ajodhia near Faizabad (8) Kashi or Benares and (9) Onkarji near Indore; but crime is their sole object and by

their success or otherwise in this respect their movements are regulated.

While ostensibly on their way to one or other of these religious resorts, they put up in the outskirts of towns and villages and by means of their disguise obtain an intimate knowledge of suitable dwellings to be burgled. They do not obtain information from strangers or admit any into their confidence; the leader or some clever member ('pitwadi') of the gang reconnoitres the town or village and acquaints himself with all necessary details regarding the house to be burgled and the locality. The bright half of the month is spent in roaming about examining the exterior of houses and prospecting; dark half in executing.

Bauriahs intuitively possess and by extensive practice have developed to an extraordinary degree, the power of estimating whether or not a dwelling is worth exploiting and whether a midnight venture is likely to prove a successful undertaking.

Their method of obtaining information is as follows:-

A gang having encamped at a village during moonlight nights the 'kamaoo' and one or two of the more accomplished 'pitwadis' or the 'kamaoo' alone start off singly in different directions to prospect towns and neighbouring villages. They will beg from door to door, make mental notes

of premises, approaches, nature of the building and apparent affluence or otherwise of the occupants. Khairawadas do not operate in small villages. They work in large towns and by house-to-house visitation under the pretext of selling medicines and oils, acquaint themselves with all necessary information about promising dwellings. The women of the house naturally attend to them and while accepting alms from the Bauriah takes particular stock of the jewellery they are wearing. Having thus marked down suitable houses, the gang moves on a few miles and encamps again and prospects the neighbour-hood in a similar manner, and so on till the dark nights arrive, taking care not to get too far away from villages where promising houses have been noted. During the three or four darkest nights of the month is the time for action with Bauriahs. They then go back on their tracks and burgle one or more of the houses marked down in the manner described above. The number of houses burgled depends on the success or otherwise of the operations.

A large haul in the first house may lead to the postponement or abandonment of attempts on others. In a large town a gang will call a halt for three, four or even six months, prospect during the bright half of the month and operate during the dark nights and so on till they are discovered by the police or they have obtained their fill in the shape of 'loot'. But whether in city, town or village, Bauriahs will never attack any house

unless it is so situated as to afford reasonable facilities for approach unobserved and speedy retreat after the commission of the burglary. Houses surrounded by narrow lanes and roads which could be blocked in case of alarm and in which the culprits could be entrapped are studiously avoided.

The above describes the methods of Dehliwals, Malpuras, badaks and Khairwadās.

A filthy habit often indulged in by some Bauriahs is that of defecating on the floor in one of the rooms of a house burgled before leaving. The act is supposed to safeguard the culprits against evil spirits which may follow them from the scene of the crime, and is ascribed commonly to Badaks, Chunvalia Kolis, Waddars, Pasis and Marwar Naiks, though it is doubtful whether it is characteristics of any particular tribe or class.

The methods used by Marwads who travel and live in the disguise of Sadhus, in respect to obtaining information and committing crime do not vary from those of Khairawadas; but as regards Marwadas who travel with their families, pass themselves off as Brahmins and accept domestic service, they take advantage of the opportunities afforded to them by the particular occupation they take up for prospecting, arranging clandestine

meeting and executing their designs.

A Moghia burglary is generally the work of some gang invited from a distance by one individual who has previously marked the house while living in some town or city as a Brahmin, Rajput or Khaki Sadhu (one who covers the body with ashes, wears a langoti and warms himself over a fire)

For breaking into a house, the instrument used is called a gyan or by Moghias a daulatia. The Bauriah's favourite method is by the 'bagli' entrance already described in the preceding notes. A knife, sometimes an ordinary table knife sharpened to a point and put into a wooden or leather sheath, is also carried by the leader for the purposes of defence as a last resource and for cutting into tents. The 'pitwadis' carry sticks. Moghias, it is said sometimes carry a razor in lieu of the knife. A small strip of cloth waxed and rolled into a tight taper or the flare of a match supplies the necessary light. If perchance the Bauriah fails to effect an entrance by the 'bagli' he sometimes but rarely resorts to the 'rumali' method and makes a hole in the wall of the house large enough to crawl in through. This hole is covered by a confederate with a cloth to keep out light and cold draught, which might disturb the sleep of those inside, and to screen from observation from the road any light used in the room. The favourite alternative to the 'bagli' entrance is breaking through a barred window, the

bars being quickly and forcibly bent and drawn out. The leader alone enters the house, lights his taper and from the door-way, window or hole by which he has entered takes stock generally of the contents of the room. Having made a mental note of where people are lying asleep and where boxes are standing, he puts out his taper, crawls forward slowly and silently and satisfies himself by listening to the breathing of each person sleeping in the room as to the soundness of their sleep. He then proceeds to secure all he can lay hands on and transfers it to his 'pitwadis' outside. He will take anything and everything, even sweetmeats ghee and the like, but cooked food and grain he will not lift. boxes are not opened in the house: they are removed intact to be broken open outside. Jewellery is skilfully and quickly removed from the recumbent bodice of persons asleep. If disturbed or challenged, the intruder snatches what he can from the inmates and beats a hasty retreat. As a rule injury is not done to persons inside the house except when in straits and to effect escape, when those outside will speedily come to the rescue of the leader. In a tight corner Bauriahs will go to any length in self defence and will not hesitate to use the knife with deadly effect. While the leader is at work inside, the 'pitwadis' are distributed outside; and while some have their attention fixed on assisting their leader, others keep a sharp look-out against interruption from outside, the danger signal being a sound emitted from the mouth similar to the cry of a hare when caught.

Before advancing into an inner room and out of view of his 'pitwadis' the 'kamaoo' or 'kadoo' first of all acquaints the former of this intention: this in order that they may be ready to come to his assistance if need be. He then goes forward, lights his taper again at the door of the inner room, takes stock of it, extinguishes the light, tests the breathing of any one asleep in the room, secures what he can lay hands on and passes out.

Major Gunthorpe in his "Notes on Criminal Tribes" published in the year 1882, mentions a practice among Bauriahs of throwing forward, when a light is not used, seeds or grains to locate the position of brass or copper pots and boxes. Enquiries instituted in this Presidency do not, however, bear this out, at any rate in respect to Dehliwals, Malpuras and Khairwads, and there are grounds for the belief that the practice is now out of date among all criminals. It no doubt prevailed in former times when the burglar's outfit contained nothing better than a flint and steel to provide light. But with the facilities that now exist for obtaining cheap silent matches, the need for a substitute for a light has ceased to exist and the somewhat risky practice of throwing forward seeds seems to have fallen into disuse. It is a fact though that all Bauriahs carry among their belongings a few grains of wheat and jawari and mamarkhi seeds (resembling in appearance very small soap-nuts) tied in small bits of rag or kept in small receptacles, which are used in consulting omens before proceeding on a

venture and in determining what particular individuals shall take part in it ; also, that among, Malpuras, should one of the gang be a self-constituted 'Jotishi" or supposed to be familiar with mantras or charms, he will cast a white goonj (seed) on the house before breaking into it ensure that the venture shall not be interrupted.

Marwadas by reason of the fact that they live in disguise in cities and towns, are not particular as to who they effect entrance into a house that they have decided on breaking into. They will break through wall or roof, as circumstances permit or are favourable. The Dehliwal and Malpura Bauriah has to do his work expeditiously as time is of importance to him; the Bauriah who does not live apart from the general public is one the spot, so to speak, has better opportunities for laying his plans and more of the night at his disposal for the actual commission of the crime.

Among Dehliwals and Malpura gangs not hampered with families, should inconvenient enquiries be anticipated, absentees from the halting place are represented at night by sheets spread over stones or bundles to look like sleeping forms. Enquiry by any officious police or village officer who may have noticed the gang during the day, is met by the two or three Bauriahs who have been left at the encampment explaining that they are awake and that their companions (pointing to the dummies) are asleep.

This little artifice should be remembered by the police on their rounds when looking up suspicious gangs of mendicants.

Bahuriahhs under arrest should be very carefully guarded, particularly when being escorted from one station to another. Instances are rare where Bahuriahhs have assaulted the police and escaped from custody even with handcuffs on.

As a rule Bauriahhs do not associate with other castes in the commission of crime. A few hints as to how to act when a Bauriah gang is traced may be found useful. When a person suspected of being a Bauriah is found loitering about or begging in the streets, it is inadvisable to challenge or interrogate him there and then; he should be quietly followed to his encampment. A Bauriah on being questioned never admits his identity or that he forms one of a gang. Evidence of his tribe and criminality, such as the gyan and other characteristics articles described above, are ordinarily to be found in his encampment. On a Bauriah encampment being discovered, it is desirable to surround and search it in the early morning, as then all the members are likely to be found at home and traces or any crime they may have committed over-night will be fresh. Each member of the gang should be examined separately. Each member of the gang should be examined separately. When thus taken unawares their

stories will probably be found to contain important discrepancies. On some pretext or other individuals will try to move about and if permitted to do so and at the same time carefully watched, may possibly be discovered, burying a knife and moving bedding over the spot, or throwing some implicating article into bushes or over walls. There is no limit to their cunning and the search of an encampment proceeds under volleys of abuse and loud protestations at the zulum which the 'Sarkar' is committing.

If the gang finds the game is up, that their identity is discovered and their methods known, they are quick to adopt another strain. "Yes, certainly, they are Bauriahs if the Sarkar says so, but there are Bauriahs and Bauriahs. Did God make all five fingers the same length?" They then are at pains to prove that they are a peaceful law-abiding gang of Rajputs, ("all right, sahib, call us Bauriahs") and that really and truly they are proceeding on a pilgrimage. One such gang invaded this Presidency and when nothing else was of avail produced ancient certificates given to some absent relatives of their and explained how they had helped and were helping the Government by hunting down fugitive Aden and handing them over to the police; unfortunately for them it came of light that they used these certificates purely for purposes of blackmail from other gangs of their tribes.

If the gang is searched while on the move it may probably be found in possession of stolen property and characteristic belongings mentioned above.

At their halting place the gyan, if in appearance, not to arouse suspicion, is kept by the 'bhandari' along with other cooking utensils; if an unmistakable jemmy, it is buried at some distance from the halting place if the stay is to be prolonged, otherwise under the bedding in the lining of a saddle or somewhere else in the encampment if the halt is but for a few hours. In respect of the obvious jemmy, so uneasy are they lest it should be found on them, that their first care, even if they squat on the road for a few minutes to have a smoke, is to bury it.

If the marks of the instrument used for making the hole in the wall are small and such as might be caused by the handle of a palli (ladle), a fair presumption to draw is that the breach in the wall is the handiwork of a Dehliwal or Malpura Bauriah with his gone and if coupled with this the culprits, if disturbed, have heard to make use of a dialect similar to that described as the Bauriah's the crime may safely be put down to this criminal class.

One of the first, perhaps the very first, recorded case of a Bauriah

discovered at work came to light in the year of 1887 in the Bijapur District and as a brief account of the case may prove interesting. Some instructive details from a report on the case submitted by the District Superintendent of Police, Bijapur, at the time, are reproduced. The case which may be typical of Bauriah methods, illustrates how successfully they are able of assume disguise and the ramification of their widespread organization :

In the beginning of September 1887 from certain information of a vague description, received by a policeman from a low caste inhabitant of Bijapur, suspicion was aroused against certain Gosavis who lived in the Taj Bowdi thaty they were concerned in the serious housebreaking cases that mysteriously took place when the dark nights came round, and that these men were connected with all the cases that had been taking place, more or less regularly, during the past three years. On receipt of this information, which was conveyed to the Superintendent of Police, it was thought advisable to institute of watch, by means of detectives, on the movements and general behaviour of these Gosavis, who subsequently proved to be Bowris from Bhopal though this was not at the time suspected. A close watch kept on the movements of the few Gosavis who lived in the Taj Bowdi math disclose the following circumstances regarding them:-

(a) their manners and customs and daily avocations were not those

of the ordinary travelling Gosavis;

(b) that they lived in a style, i.e., ate and drank, quite beyond their apparent means, and lived far more extravagantly than their ostensible means of subsistence justified;

(c) that they maintained a very exclusive attitude towards strangers visiting the math;

(d) that they disappeared and returned in small parties and that they were joined by others, apparently Gosavis, with whom they seemed to have acquaintance;

(e) that some members travelled between Bijapur and two villages, Shivangi and Hernal, distant respectively eighteen and thirty miles, where they seemed to have intimate acquaintances and houses.

After a careful watch had been maintained for some fifteen or twenty days over the villages of Shivangi and Hernal and the math at the Taj Bowdi in Bijapur, beyond the above suspicious circumstances, nothing which would directly incriminate these Gosavis or connect them with the housebreaking cases that had occurred and were occurring in Bijapur, could be discovered and therefore the Dassara festival falling on the 26th September, this opportunity was seized by the police for bringing matters to a crisis by suddenly pouncing down on the villages of Hernal and Shivangi, surrounding them at night and searching for stolen property,

housebreaking implements and so on. Accordingly on the 26th September a body of police was deputed to make a forced march to these villages and carry out searches. There were then no Gosavis in the Taj Bowdi math, except the officiating Priest, also a Gosavi. The villages were surrounded on the night of the 26th and a search made of them, but no Gosavis were discovered there. In Shivangi, however, a quantity of property suspected to be stolen was discovered and in Hernal in the patil's house, and ornament valued at Rs. 400 was confiscated and subsequently identified as being property stolen in a Bijapur case. This 'patil' was reported to be in league with the Gosavis and was subsequently prosecuted for receiving stolen property, committed to the sessions and there discharged. These were the somewhat unsatisfactory results of the raid made.

Subsequently information was collected regarding the movements of the Gosavis and it was ascertained that such men were in the habit of visiting villages in small gangs of three and fours, and two Gosavis who gave valuable information were discovered.

These two men named Mooligirri and Koomangirri amply confirmed the suspicions that had been aroused regarding the criminal propensities of the Taj Bowdi Gosavis, but, though they could have done so, they did not at the time state their true caste. On the information received from

Mooligirri and koomangirri of Shivangi, six Gosavis were taken into custody and property valued at various amounts was recovered which was identified as property stolen in housebreaking cases of Bijapur in 1887 and previous years, and in one case of Belgaum District. Further, a complete list of a gang of thirty-eight men was obtained from one of the informants, though subsequent enquiries made in Bhopal, by the Inspector sent up there for the purpose, disclosed the fact that the gang was even larger, five or six individuals whom this informant had not mentioned having been fully identified in Bhopal as belonging to the Bijapur gang and in consequence arrested. The informant further declared that the Gosavis were Bowris from Bhopal: that they gained their livelihood by committing crime; that they had committed a large number of housebreaking cases in Bijapur that one who had been arrested, viz., Baldeodas, was the spiritual leader of the gang and that there was also, a 'jamadar' or executive leader. On enquiry as the whereabouts of the rest of the gang, he stated that the 'jamadar' and fifteen men had gone to Athni in the Belgaum District on a marauding expedition that fifteen others had gone into the Dharwar District for the same purpose. Some clothes belonging to the 'jamadar' were found in the Taj Bowdi math and also a house breaking implements answering to the description of the implement used by Bowris, given in "Gunthorpe's Notes on Criminal Tribes."

On the 10th November 1887 the six Gosavis who had already been arrested in connection with three housebreaking and theft cases and sentenced to various terms ranging from two to four years rigorous imprisonment, one being also convicted and given four months for escaping from the custody of the police while being brought in from Shivangi to Bijapur.

It was also ascertained that another of the gang had already been convicted of house-breaking and theft in Bagalkot, though at the time it was not known he as a Bowri and belonged of this gang. In this manner seven me out of the Thirty-eight whose names were known were accounted for and the first stage of the case completed.

It will perhaps be interesting to give a brief account of the Bijapur history of Baldeodas bin Bhoopalsing alias Bhopda, the spiritual leader of the so-called Gosavis and officiating priest of the Taj Bowdi math. He came to Bijapur about four years before the incidents being described, put up in the Taj Bowdi math, the priest and the inamdar of which was a man named Durgaprasad Baldeodas, became his disciple and so ingratiated himself with Durgaprasad, that on the decease of the latter, Baldeodas became Durgaprasad's heir and inherited the position of officiating priest of the math. In the character of spiritual heir to he deceased guru he even

induced the Collector to interest himself in a case of an alleged wrong done to the temple property. As priest of the math he was much venerated by the inhabitants of Bijapur and was regarded as a highly religious, holy and respectable man. He had the entry into the households of the principal influential and wealthy inhabitants of Bijapur, officials and non officials, and generally impressed all with his sanctity and respectability with such an extent that suspicion of dishonesty never occurred to anyone and yet he was actually a Malpura Bauriah in disguise as officiating Priest of the math, a large place with underground rooms, very pucca built and surrounded by garden land, he had every facility for collecting and harbouring Bowris, his caste fellows, and generally directing their operations. But for his position and influence it would have been impossible for the gang to have made a depot as it was of the math.

On the termination of the case against the seven Bowris referred to above, a wide search was instituted by the Police for the two sub gangs, each fifteen strong, which had gone into the Belgaum and Dharwar districts, proved to be abortive. It was found quite impossible to trace the spurious Gosavis among the large number of genuine Bawas who wander over the country begging. The police had several wild goose chases to Kolhapur, Pandharpur, Sholapur, Gadag and other places, so the only hope of ever finding the missing Bowris, who no doubt had heard of the capture

of their leader and companions of Bijapur, seemed to be to send and experienced officer to Bhopal with detectives to arrest them on return home. It seemed probable they would make for Bhopal sooner or later, trusting to the great distance preventing of spoiling pursuit. Accordingly a Police Inspector was sent with detectives and an informant who could identify the Bowris, to Bhopal. Just previous to the Inspector's departure letters received through the post to the address of Baldeodas, the leader, were intercepted. From the post marks on the envelopes it was clear the letters had been posted in Poona, Satara and Khandesh. A copy of one given on the next page, speaks for itself. On arrival at Bhopal the Inspector found a large number of Bowris arrested on suspicion of having committed a serious dacoity with murder in the Bhopal State. Seventeen of these proved to be members of the Bijapur gang and being identified were arrested formally by the Inspector and after a great deal of correspondence Superintendent of Police, Bijapur, and the political authorities, were transferred to the Bijapur district for trial. The 'jamadar' and executive leader of the gang, Akhersing alias Chetan Das, was not of the seventeen men arrested. He was however traced to Saugor, a neighbouring district, where he was found in a custody on a charge for recent housebreaking theft. All the eighteen, suspecting a hue-and-cry would be raised must have absconded to Bhopal immediately. There companions were arrested in Bijapur and apparently were accomplices in the crime concerned.

The Police Inspector recorded that the Bowri Population in Bhopal had no ostensible means of livelihood and during a month and a quarter that he was in the Bhopal territory, with the exception of some hundred to hundred and fifty males there were no able bodied men only women, children and old men and cripples in the villages. All the able bodied Bowris were away he was able to trace and identify only 18 men, so apparently the remainder had either not returned to there villages or had managed to elude the authorities.

Further enquiries made by the Bijapur Police disclosed the fact that several Bowris had wondered from their native areas many years before, married in these new areas and settled down. They had built chappar houses and acquired a little property in the villages of Shivangi and Hernal. What there antecedents may have been was not known but at any rate they had not hitherto made themselves conspicuous, nothing was reported against them and their true caste had not then been discovered. They did not go about in disguise but lived as ordinary inhabitants of the two villages. It was only in consequence of the discovery of the Bijapur gang of Bowris that it was ascertained these settlers were also Bowris. Their numbers were roughly estimated at about a hundred souls and they left the villages of Shivangi and Hernal as soon as the true Bowris were arrested, decamping into Moglai territory. To proceed with the account of the case

against the eighteen accused extradited from Bhopal it is sufficient to say that the case ended in the conviction of the Sessions Court of all the accused.

As far as tools and equipment used by the tribe is concerned the Gyans (alluded to as 'Gyandas' in the presence of strangers in order to mislead them into believing that an individual is being talked about) called daulatiya is their chief and characteristic equipment of housebreaking. A knife (exhibit no 20 of the Bombay District Police Museum) or razor, sticks, wax paper, and matchbox complete the outfit carried by Bowris burglars. The wax paper is usually carried around wrapped around the sheath of the knife which is stuck into the left side of the leaders dhotar. The gone is similarly carried by one of the pitwadis.

Gyans are of three kinds. That carried by Dehliwals, exhibit 20 of the Bombay District Police Museum, vide Plate VI, is like an ordinary iron ladle (palli or Kadchi) but is heavier and stronger than the ordinary culinary spoon and is made of an alloy of iron and steel, the end of the handle being sharpened and tempered. The gone is used both for cooking and criminal purposes. The Malpuras and Khairawadas gone is an ordinary pointed steel jemmy about fifteen to eighteen inches long with a knob at the end. The Badaks gone is a steel and iron jemmy, six to ten inches long.

fitted into a wooden handle about the same length, bound at the top and also where the metal fits into the wood, with iron bands.

The Moghias daulatia is believed to be an iron zig-zag sharpened jemmy fitted into a wooden handle, but an authentic specimen has not come under observation, therefore the accuracy of the description cannot be vouched for.

In addition to other articles mentioned above and elsewhere in note, a Bowri leader usually carries a ball of wax for coating the taper and improvising a make-shift rough pair of scales for weighing valuables, exhibit 56 of the Bombay District Police Museum, vide plate IV.

The Bauriahs have systematic ways and means of concealing and disposing off their loot. Property acquired by theft is first divided into five shares. The leader gets one, the remaining four are then divided into as many shares as there are members of the gang including the leader and even those who did not actually assist at the crime and each man gets a share, thus the leader gets 20 percent plus an equal share with all others in the remaining 80 percent. This seems to be a general rule among all Bauriah divisions. The allocation of the leader of a 20 per cent share to begin with is apparently based on an old understanding that it is a

responsibility belonging to the leader to-

- (a) distribute alms to Brahmins
- (b) pay dues to 'Doms"
- (c) help his female relations who may be unprovided for; and
- (d) propitiate the deity by giving a feast to the males of the gang

There is often much quarrelling over the distribution of the 'loot' and when this is the case the property, whatever description is broken up and divided into shares. Should there be any differences, articles of jewellery containing pearls and precious stones are put aside for subsequent disposal and division of sale proceeds, the rest being broken up if necessary and divided at once in the manner described above. Each member melts down the gold and silver that comes to his share in a crucible improvised for the occasion made of earth with a metal admixture of cotton to bind it. He sells that metal or disposes of such articles as come to his share intact to 'receivers' who are shroffs, goldsmiths, Baniyas, Gujars, Borahs and the like.

Articles with pearls and precious stones in them are, pending sale, kept by the leader who disposes of them later as opportunity offers to 'receivers' the sale-proceeds being divided in the manner stated above.

Pending division or disposal, valuables are cunningly buried, in the case of those who live outside towns and villages, in the near vicinity of the halting place. When moving camp each man carries his cash and the stolen property allotted to his share on his person. Arrived at a fresh halting place valuables are again buried. Property is not, as a rule, sent home by parcel but is occasionally sent home in charge of one or two members of the party who after safely delivering it rejoin the gang. Cash is remitted by money-order, under usual precautions, fictitious names, etc., to baffle trace and disarm suspicion.

On one occasion when the police surprised some Dehliwals, the men made themselves scarce and one of the women concealed some stolen property in a heap of chappatis.

Correspondence from their country by post is received through some local friend who is kept in ignorance as to their case and calling. In their letters members of a gang are referred to as 'murtis' their home as 'mandar' and stolen property as 'ata' (flour). A seer of ata means a hundred worth of stolen property, two seers two hundred rupees worth etc.

Property is buried by individuals separately. That belonging to the

gang as a whole, i.e., before division, is buried by the leader, who when returning from the place of concealment is careful to obliterate his foot-prints. To do this he stoops and dusts them over with the end of a cloth for some distance as he walks backwards. On the move it is carried by one of the able bodied members of the gang who is specially fleet of foot. If any serious risk is anticipated the property is buried and left behind, one of the gang in the get-up of a Sadhu (among Badaks perhaps and Aughur Sadhu) remaining near the spot till such time as he can safely remove the property or the gang returns.

The hole dug by Bowris when concealing property under ground, is generally wider at the base than at the surface and the property is deposited in a small side burrow scooped out at the base.

The Bahuriah are in the habit of sewing their knives in the edges of their quilts and when required to shake out the latter they take care to grasp the quilt at the point where the knife is concealed.

THE MARWAR BAORIS OR GUJERAT BAORIS : AN OFFSHOOT OF THE BAWARIYA TRIBE

Marwar vaghris or Bhagris, also known as Marwar Baoris appear to be offshoots of the large Bahuriah tribe. They are sometimes, though erroneously called Gujrat Baurihs. They are not the same as the vaghris of Gujrat. Although they try to pass themselves off as such, they differ widely from the latter in the habits, criminal tendencies and methods.

They are divided into clans, of which, some are the following :-

Parmar, Solanki, Shokk᳚a or Vaghela, Damdara, Dabhi, Gelada or Gelot, Chohan (also pronounced as Sohan), Adhani, Rathod Dhengani, Atani, Sangani, Deoda

The Marwar Vaghris original habitat is ofcourse Marwar. Although some families have migrated into Gujrat where their seperate identity is lost

among the Vaghri class. They are to be found in great numbers in Kaithwad, Sind and Rajputana, and in lesser numbers in the Central Provinces.

Many of this tribe, notably those who are given to coining, wander about the country in small gangs of varying numbers, usually not exceeding ten, accompanied by women, children and ponies. They travel as far as Calcutta, Indore and Lahore, are to be met with in this Presidency, Madras, the Central Provinces, Bengal and the Berars. They wander from place to place throughout the year, but during the monsoon do not move camp so frequently, endeavouring to fix up where they have formed local connections. Those who are without circumstances and live under false pretences in towns, travel by train.

Marwar Vaghri are generally dark, of medium build are, with few exceptions, dirty and squalid in their habits and dress. They are capable of much endurance and can cover great distances in the day, even thirty to forty miles when pushed. The men wear an old Dhotar, short angarkha or shirt or a coat and a worn-out pagri or a duppatta which they fold either in the Marwar or Gujrat fashion. Those to be met with in this Presidency, who are more or less domiciled here, do not grow beards nor wear the hair

long. The females usually wear the ghagra or petticoat (neer white or black) sometimes a sari, bodice open at the back, odni or head-scarf, bangles made of so called ivory or cocoanut shell, the toti (ear ornament), a lavang (a clove shaped ornament) in the nose, silver or kasa (bell-metal) anklets and toe-rings. Men as well as women are marked on the belly by scars, the result of branding.

The tattoo markings on a woman's face are a line from the outer corner of each eye, a dot at the inner corner of the left eye, one on the left cheek and one on the chin. They have also distinctive tattoo marks on each arm, the chest and the shins. They eat all sorts of flesh, except that of the cow and village pig, and indulge in liquor. They are superstitious and sometimes propitiate the goddess before starting on an expedition.

They usually encamp outside a village in a tope of trees or field where they live in the open and sometimes in tents or temporarily constructed huts. In the rains they hire lodgings on the outskirts of villages or towns, or put up in a temple, dharamsalas and the like.

The head man of a gang is styled a 'jamadar' or 'malak' or 'panch sati' or 'jhagardoo' and the gang is known as a 'tanda'.

Marwar vaghris have a dialect of their own. 'Baoribhashs' which resembles Marwadi. Those in Gujrat speak corrupt Gujerati. They can also speak Hindi, and generally pick up a smattering of the language of the country they peregrinate in.

The following are some of the slang expressions used by Marwar Vaghris:-

| SLANG | MEANINGS |
|--------------------|------------------------------------|
| mulgo | an officer, or a sahib |
| fasal | sepoy |
| lasuria, lahoor or | |
| phogda | counterfeit rupee |
| adiya, nanama | mould |
| kadshi | ladle in which the metal is melted |
| mundala dala or | |
| renga | a genuine rupee |
| pelwa | gold |
| nanami | tin |
| vavri jao, sapardi | |
| jao, modi jao | run or decamp |

| | |
|----------------------|---|
| bahodi gayo | arrested |
| kowli | silver |
| ratadia or lakdio | pice |
| agto | Baori man |
| agti | Baori woman |
| khengro or khengolio | village or house |
| bapra | bread |
| majuha | wheat |
| lectee | a spiral track made by Baoris for the guidance of those following |
| waggari | alloy of kasa, copper and tin in equal proportions of 1, 1 and 10 respectively |
| nakra | bullock |
| kunjri | buffaloe |
| nahori | jackal |
| konila | boy |
| manhon | man. |
| gunjion | the secret pocket in a dhoti |
| nirkhun | water |
| dantion | meat |
| halkas | dagger |
| kaunli | earth. |

| | |
|---------------------|----------------------------------|
| dungaria | axe |
| rar or bunbal | the passing of counterfeit coin. |
| phuharto | horse |
| athario | saddle |
| pilu or namayan | ghee |
| tukarion | Brahmin |
| targoli | sacred thread |
| vamaraya | to run away |
| german | brass utensils |
| ranga hoko | bribe him |
| aur che | is coming |
| lahi jashi | it will be found |
| narsi jashi | it will be detected |
| pee | to change Central Bank |
| pee man | do not change |
| hamen pee aro | change it now |
| narsiyo poseo hokro | return the coin |
| tukario thai jo | go disguised as a Brahmin |
| hatari malp | conceal it |
| Khadro | hole |

To indicate to others of the caste who may follow on their tracks, the

route taken, a member of the gang, usually a woman, trails a stick in the dust as she walks along leaving a spiral track on the ground. Another method for indicating the route is to place leaves under stones at intervals along the route. They make use of the above signs even when begging in the villages round their encampments, as well as when on the march.

While in Marwar they cultivate land. A few maintain themselves by carrying kavads of water from the holy ganges and selling the latter to Hindus. Some cheat by selling ordinary water in which a little gopichandan has been mixed to give it a slightly turbid appearance. These water carriers call themselves 'Gangajal Vaghris or Baoris.

Away from Marwar when making a prolonged halt anywhere, they sometimes cultivate cucumbers etc. in Gujrat and there and elsewhere rent land even on a year's lease; but begging is their chief ostensible means of subsistence.

While out on criminal expeditions they will often pass themselves off as 'Bhats' or bards reciting with great fluency the exploits of heroes of old, or as 'Kabir Panthis'

When they leave their encampments singly or in pairs to pass

counterfeits they dress themselves up as 'Sadhus' usually 'Giri Gosavis' in salmon-coloured clothes, wear rudraksh beads and affix 'gir' or das to their names. They are also known to pose as Brahmins, kumhars, kunbis, Rajputs or Charans. In Gujrat they generally pass themselves off as 'Salats' or stone-dressers. Occasionally in the Deccan they secure accommodation in villages and towns and pass themselves off as 'Phul Malis' and 'Malis' (gardeners). The males frequently change their names.

Marwar Vaghris are inveterate and hereditary coiners, the exact prototype of Chapparbands. Men as well as women are experts. They coin false rupees, as well as eight, four and two anna pieces. They also cheat Banias by the substitution of counterfeit mohurs for gold ones.

Their methods are very similar to those of the Chapparbands. Their work is superior though their appliances are crude and their handicraft confined to casting counterfeits of alloy of base metals. Their moulds are very typical and are made in the following manner. Two blocks each about $\frac{3}{4}$ of an inch deep by about 3 inches square, are made up from potter's clay (a little cotton or wool is mixed with it to make it binding), and into one, used as the lower half of the mould, two pegs with pointed protruding ends are driven, one into each of the opposite angles of the block. The other half of the mould is then carefully fitted on the first one holes being made

to receive the two pegs described above and keep the blocks, when used as a mould, in position. The blocks are when set to dry, in the shade for choice, to avoid cracking. While drying, the blocks are polished outside with the hand to give them a finish. After they have hardened the inner faces are rubbed on a stone to give each a level surface, so that when the two are brought together they shall fit exactly. Then a hollow rather larger than a rupee in circumference and about 3/8 of an inch deep, is scooped in the centre of the inner side of the lower block and a small channel is cut in the side of this block leading into the prepared hollow. A circular hole, rather larger in circumference than a rupee, is then made through the upper block and a channel is cut in this block in exact juxta-position to the one in the lower blocks are fitted together one small round channel in the side mould to admit the melted into the cavity prepared for the rupee.

Lime-stone called 'marad ka pathar' is ground and sifted down to a very fine powder which is then mixed with a little ghe. A fine clay or plaster of paris is thus formed and is filled separately into the cavity of the lower block and the round hold of the upper one. A rupee with a clear bold impression is then fitted into the lower block and skilfully pressed and kneaded into it till it is half embedded. The upper block is then fitted on to the lower one to get an impression of the obverse and that having been done by the application of the pressure from the above to the white clay,

the rupee is dexterously removed, a channel delicately scrapped in the white clay, at the place provided in the mould for the admission of the molten metal, and the mould is then complete. If the clay in the mould appears to be too sticky, a little ash is dusted over it before the rupee is placed in the mould to obtain an impression. The metal used is a mixture of copper, kasa (bell metal) and ranga or kalai (tin) in the proportion of 1 and 1 to 10 respectively. The kasa copper and an equal quantity of the tin, are first melted in a small earthen saucer. This alloy is called 'waggari'. The remainder of the tin is now added and the alloy termed 'mawa' turned out again and again melted in a palli (ladle) plastered with wet mud (this is a point to be noted) and poured into the mould.

After turning the counterfeit out of the mould, the edges of the former are trimmed with a knife and those of a new genuine coin are pressed round the softer edge of the spurious article to give the latter the milling. Cow-dung usually, occasionally soot, alum, saltpetre or turmeric are used as required for polishing up the coin or giving it the appearance of a genuine and handled one.

Each mould is capable of turning out a considerable number of counterfeits and usually lasts for a month. The white clay in the centre will ordinarily cast about twenty rupees, not more, before it requires to be

renewed.

After the coins have been manufactured, those who have to utter them separate themselves from the gang and go out in ones or twos in different directions, the coins being kept concealed in small pockets sewn in the front folds of their dhotis as described further on.

The Baori utterer approaches his dupe, male or female, the latter being preferred poses as a country simpleton or pilgrim to some shrine and offers a 'Rajshahi' rupee either to be cashed or with enquiries if it is current. On being told that the 'Rajshahi' coin is not current, he asks to be shown a rupee that is, having looked at the one shown him and studied it he substitutes by sleight-of hand one of his counterfeits for the genuine coins.

He invariably holds a short piece of stick, fashioned as tooth cleaning stick as a rule, in the right hand when palming off a counterfeit.

The base rupee is held in the right hand and the stick is held to justify the contraction of the hand which is holding the counterfeit. The 'Hali' of 'Rajshahi' is tendered with the left. The current rupee is also received with the left hand and while the coiner looks at it and is

discussing it he cleverly and quickly passes it into the right hand, the base coin being substituted for it in the left; all the while he looks his dupe in the face and keeps up a volley of small talk to divert the attention of the latter. An expert can thus pass some twenty counterfeits at a time under favourable circumstances, but usually not more than two are attempted. His modus operandi at this stage is in fact precisely that of a conjurer, who for the success of his trick has to divert the attention of his audience.

With luck, a Marwar Baori will pass as many as ten to twenty counterfeits in a day.

Other modes of passing counterfeits are for the coiner to hand a spurious rupee in payment for articles purchased worth an anna or two, taking the difference in cash; or to produce a 'Rajshahi' (or 'Badshahi') coin; the victim refuses to take a rupee that is not current, and the coiner then asks to be shown the kind of rupee required. This being done a counterfeit is cleverly substituted for it. Or, he pays for his purchases with a genuine rupee, expresses dissatisfaction with the weight or quality of the quality of the commodity purchased, altercates with the shopkeeper and causes the latter to return his money. The dispute continues and eventually the Baori consents to accept the goods and plants a counterfeit in payment instead of the genuine coin the Bania returned.

A third method is as follows:- The Baori goes to a grocer's shop to purchase ghee or other commodity and pretending ignorance of weights and measures prevails on the shopkeeper to scale the ghi against rupees (twenty to a quatre seer).

Under one pretence or another he handles the money and while doing so, substitutes the counterfeits for the genuine coins. They never carry counterfeit rupees and smaller spurious coins together.

Cheating by planting false mohurs is carried out as follows:-

Two small bags of exactly the same size (sufficiently large to hold a mohur), material and appearance are made. One contains a genuine gold mohur valued at about Rupees 24, the other spurious one. The former is mortgaged with a Bania for Rs.20 at twenty percent interest. After a time the Baori returns and complaining of the exorbitant rate of interest demands the bag containing his mohur back. It is returned. The Baori and his confederates then begin to altercate among themselves at the shop and the owner of the mohur is advised and persuaded, apparently much against his will, by his companion to pawn the article. Meanwhile the bag containing the spurious mohur has been substituted for the one containing the genuine coin. The Bania having already satisfied himself when he took the bag containing the counterfeit and without examining the contents

further, advances the Rs. 20 and the Baoris then depart the richer by Rs 20 and the poorer by a small bag containing a worthless counterfeit.

The characteristic mould, (exhibit 37 of the Bombay District Police Museum) is a palli (iron spoon), a few copper coins, pieces of kasa, tin, a knife, some pieces of lime-stone of the kind mentioned above, or clay, an earthen crucible or saucer and a few 'Rajshahi' or 'Hali Sicca' complete the paraphernalia of a Baori coiner.

The palli will usually be found to have a small dip in the edge to facilitate the pouring of the molten metal.

The Gujrat Baoris find it comparatively easier to conceal their incriminating articles. Counterfeits and mould are generally buried in or near (say about twenty to thirty yards away) their encampments and have been found in the ground under their bedding, fire-places, etc.

Counterfeit rupees are carried in one of the pockets cunningly provided for the purpose, by sewing some of the pleats in the front folds of the dhoti; genuine ones, as received, are dropped into hidden pockets formed in the same way and concealed in the same garment among the folds which, usually drawn together and tucked in the back, are for this

purpose brought a little round to the right side. Later, genuine coins are transferred to one of the pockets in the front folds of the dhoti where they are more easily grasped by the hand when the dhoti is undone and concealed there, are less liable to come to notice in a search. A left handed man will have his hip pockets on the left side.

When the gang is on the move, coining requisites are, as a rule, conveyed by the women in concealed pockets in their ghagras or in children's pockets. Counterfeits are taken away by the utterers who separate themselves from the main body.

CONCLUSION

During the course of this dissertation I have tried to look at the theoretical subject matter from a symbolic-interactional, structural as well as historical perspective. My focus has been on the study of criminal behaviour by the criminal tribe and their changing behaviour since the Criminal Tribe Act was repealed in 1952.

The symbolic interaction perspective has been used to explain how criminal behaviour is learned in interaction with other criminals, in the family, in the tribe.¹⁰⁰ In the process of interaction, children learn criminal behaviour by taking the role of the father or fellow tribals in agiven

¹⁰⁰. Sheldon Stryker, "Symbolic Interaction as an Approach to Family Research," in Jerome G. Manis and Bernard N. Meltzer (ed.) *Symbolic Interaction : A Reader in Social Psychology*, Boston : Allyn and Bacon, 1968, pp. 371 - 383 and also Herbert Blumer, *Symbolic Interactionism : Perspective and Method*, Englewood Cliffs, New Jersey : Prentice-Hall, Inc., 1969.

situation.¹⁰¹ The role behaviour according to Coutu is of two kinds : role taking and role playing.¹⁰² A role may be defined as "a socially prescribed way of behaving in particular situations for any person occupying a given social position or status".¹⁰³ Role-playing refers "to behaviour, performance, conduct, over-activity," while, "role-taking is a symbolic process by which he puts himself in another person's place" in order to get an insight into the other person's probable behaviour in a given situation.¹⁰⁴ Children take their father's role through the socialization process. When they are fully socialized, they play the role of the father and other people from the older generation. This role "taking" and "playing" is a symbolic learning of behaviour in a "social situation".

The structural approach facilitates explanation of the inter-relationship of the elements of social behaviour .¹⁰⁵ According to

¹⁰¹. Irwin Deutscher, "Buchenwald, Mai Lai and Charles Van Doren : Social Psychology as Explanation ." "Social Quarterly, Fall, 1970, pp. 533 - 540. He says that "Social situation" views behaviour from the perspective of people who are subjects of study.

¹⁰². Walter Coutu, "Role Play vs. Role-Taking : An Appeal for classification." ASR. April 16th (1951), pp. 180 - 187.

¹⁰³. Ibid., p. 180.

¹⁰⁴. Ibid.

¹⁰⁵. G. C. Homans, "Contemporary Theory in Sociology." in Robert E. L. Faris (ed.) Handbook of Modern Sociology, Chicago, Illinois : Rand McNally and Co., 1964, p. 961.

Homan's, an "element may be defined by its relations to other elements and relations of these elements to one another in the same configuration, a social structure or system".¹⁰⁶ The idea of "structure" in the social sense refers to the relationships which are comparatively stable or orderly. A social structure, in short, consists of recurrent, stabilized, orderly relationships.¹⁰⁷ In the structural approach, the social behaviour of the segments of the population are linked or connected with the rest of the social system. Therefore, this approach can be used to explain the inter-relationships of people in the context of larger social system. Furthermore, since we are engaged in a study of social change, it would be appropriate to agree with Moore's statement, that "the principal basis of organising a discussion of social change is structural".¹⁰⁸ If we seek to understand this change, we must know the what the existing conditions were, before the change occurred. This in agreement with Mills, when he says that a sociological or structural study "requires a historical scope of conception and a full use and reliance on historical materials".¹⁰⁹ Therefore, in the course of this dissertation, historical material has been used to link the

¹⁰⁶. Ibid.

¹⁰⁷. William M. Dobriner, *Social Structure and Systems : A Sociological Overview Pacific Palisades, California : Goodyear, 1969, p. 107.*

¹⁰⁸. W. E. Moore, *Social Change, Englewood Cliffs, New Jersey Prentice-Hall, Inc., 1963, p.25.*

¹⁰⁹. C. W. Mills, *The Sociological Imagination, New York : Grove Press, Inc., 1961, p. 145.*

past with the present.

One very critical question that does come to mind is that, if other castes, tribes or peoples who have exhibited the same social and cultural isolation as the Bawariyas, have been able to be partly (if not completely) "socialized" and therefore, to some extent brought (into or) towards the mainstream of civilization, howcome there has not been more than a marginal impact on the Bawariyas ? The answer, in my opinion, lies in the fact that unlike other backward classes and tribes, the Bawariyas follow a consistent criminal occupation. They specialise mainly in house breaking and burglary, while the Marwar Baoris specialize in cheating and counterfeiting coins. Criminal occupations such as these are, but obviously, not only irritant but also hazardous to the rest of society, giving rise to caution, mistrust and finally uninvolment and unhelpfulness on the part of the rest of society.

On the part of the tribe itself, as a result of the kind of livelihood that the Bawariyas follow, they live under constant threat of being found out and hence have to be cautious. As a result of this caution they restrict their interaction with the rest of the society to the bare minimum. In many cases, it only consists of observing a village, family or household while in diguise and robbing that particular household or village without being

found out. Therefore, one can see a sense of mistrust and doubt both on the part of the tribe as well as society in general, the former being the criminal and the latter the victim.

Furthermore, the Bawariya tends to be highly unreceptive and unapproachable. Even if the help is available through government or non-government voluntary agencies, this unapproachability nullifies it. This lack of interaction as a result of a mutual mistrust between the tribe and the rest of society, in my opinion is the single most important reason for the Bawariya tribe remaining criminal even today, and not being able to be avail of the various benefits available to other backward castes, tribes and classes such as education, primary health care, special priveleges and reservations for backward classes and tribes and thus awareness in general.

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